
MARYLAND

HISTORICAL MAGAZINE

Maryland Politics on the Eve of
Revolution

James Haw

Medical Education for an African
Colonist

Penelope Campbell

Chesapeake Sailmaking

Marion V. Brewington

Quaker Opposition to the
Establishment of a State Church
in Maryland

Kenneth L. Carroll



Vol. 65 No. 2

Summer, 1970

A QUARTERLY PUBLISHED BY THE MARYLAND HISTORICAL SOCIETY

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MARYLAND

HISTORICAL MAGAZINE

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DIRECTOR'S REPORT

1969

AT the risk of appearing to be complacent, I must regard 1969 as a year of accomplishment for the Society. Daily operations in the Thomas and Hugg Memorial Building began to settle into routine patterns; our hope of upgrading our Howard Street rental property got off the ground; period rooms were re-installed in the newly renovated Keyser Memorial Building; plans got under way for the Darnall Young People's Museum of Maryland History; a seemingly workable method was devised by which the Latrobe Papers may see eventual publication; Professor Thomas Coakley of Miami University, Ohio, began work on the biography of George Calvert, left unfinished by the death of James W. Foster; important benefits were extended to the staff; and, not the least of our blessings, donors to the Society continued to show generous interest in its activities.

Library. Undoubtedly the most important development in the Library was the addition in September of a spacious Rare Book Room where custom-made bookcases provide ample storage for the secure care of valuable books, pamphlets, sheet music and other items. Books and other printed materials accessioned by the Library totaled approximately 10,000 items, and among those which may be regarded as outstanding were: The Fry & Jefferson Map of Virginia and Maryland, 1775, given by Mrs. Arnold Rich; many first editions and other books from Mrs. Frank Kent; the Newberry Genealogical Index and the 1880 Federal Population Census by purchase.

About 15,000 items, including many account books, were received by the Manuscripts Division of the Library. Among the notable acquisitions were: a rather extensive collection of correspondence of General Samuel Smith, the gift of Mrs. Carrie Fink Baynes; about 50 letters of John Hanson from Mrs. Robert H. Stevenson; the Lucie Balderston Album containing a poem titled "Alone," written in the hand of Edgar Allan Poe; Old Otterbein Church Records, given by the Church; G. Krug & Son business records, 1841-1963, given by Theodore F. Krug; and the Charles Sidney Winder collection of diaries and of let-

ters relative to his death at the Battle of Cedar Mountain.

Museum. Upon completion of the renovation of the Keyser Memorial Building, space became available, in addition to the traditional period rooms, for a larger installation of the kitchen display; for a new exhibit of old woodworking tools; and for another of decoys. Also, the former business office was furnished with the Neo-Gothic study furniture—long in storage—of Enoch Pratt who built the mansion in 1847.

On the third floor of the Thomas and Hugg Memorial Building preparation has begun of an extensive exhibit depicting Maryland's participation in the nation's various wars. While the plans for the Darnall Young People's Museum of Maryland History are being considered, a large display of old toys has been installed.

Accessions to the Museum totaled 814. Without question, the most outstanding addition was the collection of fine dining-room pieces bequeathed to the Society by the late Dr. Michael Abrams through a foundation bearing his name and that of his wife. Other noteworthy accessions were: A pair of Sheffield candlesticks with hurricane shades, of Lt. Col. Tench Tilghman, from the heirs of Matthew Tilghman Goldsborough Earle, through John G. Earle; a red settee, *ca.* 1770, from Mrs. F. J. Klein; a large round Philippine narra table, the top in one piece, 78" in diameter, from Mr. Richard Riggs; and an eighteenth century mahogany card table, as a bequest of Mrs. Adelaide C. Clough.

Mr. William C. Steuart added to his already large number of gifts to the Maritime Collection with another gift of several interesting and valuable ship models, some of them technical in nature.

Education. For years dedicated volunteers from the Junior League have been the mainstay of the Society's school tour program. The guide service continued through the year, and a total of 8,608 youngsters benefitted. Beginning February 1, however, the program was expanded by sending, upon request, trained volunteers into classrooms to present slide-illustrated talks on George Calvert, First Lord Baltimore, and the founding of Maryland. The project has been highly successful. The Women's Committee generously supplied two projectors to forward the project.

Publications. The Society produced no books during the year, but did publish an attractive catalog titled *A. Hoen on Stone* by Mrs. Lois B. McCauley for the exhibit of Weber and Hoen lithographers and an informative pamphlet by Edward G. Howard titled *Marylandia* for the Rare Book Room dedication. Several titles in the Wheeler Leaflet series on Maryland History for school use were reprinted, as were *Maryland in the Civil War* and *Indians of Early Maryland*. Much work went into preparing for publication a manuscript titled *Quakerism on the Eastern Shore* by Dr. Kenneth Carroll, which will be available about May 15, 1971. Dr. Aubrey C. Land of the Publications Committee edited the 71st volume of the *Archives of Maryland* and wrote its introduction. The work is now in press and will be available soon. A great step ahead was made when the Council authorized the employment of Dr. Edward C. Carter II, of American University, as Editor of the Latrobe Papers.

Membership. It is encouraging to report a substantial growth in membership from 3,548 at the year's beginning to 3,722 at its close. Much of the credit for the increase of 174 goes to Mr. Charles P. Crane, Chairman, Committee on Membership, who, for the second successive year, has headed up a quiet but persistent campaign for new members. The Society's membership is now the largest in its history.

General. A number of volunteers have served the Society faithfully and well during the year, both in the Library and in the Museum. The limits of space preclude a listing of their names, but they merit warm thanks and sincere appreciation. Two unusually faithful such workers we have unfortunately lost. Mr. Richard H. Randall, Sr., Chairman of the Committee on the Maritime Collection, died January 14, 1970, and Mr. R. Hammond Gibson, Acting Curator of the Maritime Collection, resigned because of poor health after 15 years of devoted volunteer service. They will both be sorely missed.

In January the Society, in cooperation with the English-Speaking Union of Maryland staged its first benefit meeting with a showing of *A King's Story*, a biographical film about the Duke of Windsor. Over \$1,200 was realized by each organization. The holding of more such events would greatly assist the Society's financial situation.

DIRECTOR'S REPORT

Another first during the year came in November, when the newly established Annual Bernard Christian Steiner Lecture in Maryland History was presented by virtue of a bequest of the late Amy L. Steiner.

During the year a number of small exhibits were held, and two major displays—"A. Hoen on Stone" and "The Star-Spangled Banner"—attracted wide attention and much well deserved commendation to the Library staff.

Attendance during 1969 was 31,235.

Financially we were fortunate, with the report of our auditors showing the largest plus balance since work began on the Thomas and Hugg Memorial Building. However, the Society still has many needs, and it is doubtful that so sizable a surplus will again occur in the foreseeable future.

This report briefly summarizes my belief that the year has been one of accomplishment. I am grateful to the staff, to the Council and to the committees of the Society, as well as to each of the many others who have lent advice and support during 1969. With the help and guidance from the slate elected at this Annual Meeting, I am confident that we can look forward to further gains in 1970.

HAROLD R. MANAKEE

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1717 YORK ROAD
LUTHERVILLE, MARYLAND 21093
252-1270

March 16, 1970

To The Board of Directors

Maryland Historical Society
201 West Monument Street
Baltimore, Maryland 21201

Gentlemen:

We have examined the accompanying statement of assets, liabilities and fund balances of the Maryland Historical Society as of September 30, 1969, and the related statements of revenues and expenditures and changes in fund balances for the year then ended, all prepared on the cash basis. Our examination was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances, with the exception that we were unable to determine or confirm those assets in the trust established under the wills of John L. Thomas and William S. Thomas.

In our opinion, except for such adjustments to the Thomas and Hugg Building maintenance fund as may be required upon its ultimate delivery to the Society, the accompanying financial statements present fairly the assets, liabilities and fund balances of the Maryland Historical Society at September 30, 1969, the revenues and expenditures and the change in fund balances for the year then ended, on a cash basis, consistent with that of the preceding year.

Certified Public Accountants

REPORT OF THE TREASURER FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1969

STATEMENT OF ASSETS, LIABILITIES AND FUND BALANCES September 30, 1969

ASSETS	Total All Funds	Current Fund	Special Funds	Restricted Funds	Endowment Fund
Cash:					
Cash on hand	\$ 150.00	\$ 150.00	\$	\$	\$
Operating cash accounts	2,379.98	2,379.98			
Restricted cash accounts	74,881.11	5,441.32	49,462.93	16,407.46	3,569.40
	<u>\$ 77,411.09</u>	<u>\$ 7,971.30</u>	<u>\$ 49,462.93</u>	<u>\$ 16,407.46</u>	<u>\$ 3,569.40</u>
Accounts receivable:					
Mercantile-Safe Deposit & Trust Company					
Thomas and Hugg Build- ing maintenance fund	\$1,314,993.55	\$ 5,471.21		\$1,309,522.34	\$
Escrow accounts for 227 W. Monument Street	1,868.24				1,868.24
Miscellaneous	8,547.75	8,547.75			
	<u>\$1,325,409.54</u>	<u>\$ 14,018.96</u>		<u>\$1,309,522.34</u>	<u>\$ 1,868.24</u>
Investments					
Stocks (market value \$907,744.01)	\$ 569,810.43				\$ 569,810.43
Bonds (market value \$304,190.50)	407,037.34				407,037.34
Mortgages	62,490.59				62,406.59
Ground rents	1,916.66				1,916.66

Real estate:					
214-16 Park Avenue	205,827.05				205,827.05
227 W. Monument Street	102,230.35				102,230.35
Less: Accumulated depreciation on buildings	(7,029.00)				(7,029.00)
	<u>\$1,342,283.42</u>				<u>\$1,342,283.42</u>
Property, plant and equipment, at cost:					
Land and buildings	\$2,150,231.53	\$ 191,510.08			\$1,958,721.45
Furniture and equipment	54,508.52	20,706.93			33,801.59
Books	1.00	1.00			
Manuscripts	1.00	1.00			
Painting and statuary	1.00	1.00			
	<u>\$2,204,743.05</u>	<u>\$ 212,220.01</u>			<u>\$1,992,523.04</u>
Interfund balances	\$ —	\$ (172,916.98)	\$ 12,842.33	\$ 24,400.00	\$ 135,674.65
Total assets	<u>\$4,949,847.10</u>	<u>\$ 61,293.29</u>	<u>\$ 62,305.26</u>	<u>\$1,350,329.80</u>	<u>\$3,475,918.75</u>
LIABILITIES AND FUND BALANCES					
Accounts payable	\$ 21.22	\$ 21.22	\$	\$	\$
Payroll taxes-withheld	1,186.44	1,186.44			
Mortgage note payable, 6½%, due \$3,000.00 annually	42,500.00				42,500.00
Unexpended advances—educational and road marker programs (net)	1,245.97	1,245.97			
Fund balances	<u>4,904,893.47</u>	<u>58,839.66</u>	<u>62,305.26</u>	<u>1,350,329.80</u>	<u>3,433,418.75</u>
Total liabilities and fund balances	<u>\$4,949,847.10</u>	<u>\$ 61,293.29</u>	<u>\$ 62,305.26</u>	<u>\$1,350,329.80</u>	<u>\$3,475,918.75</u>

CURRENT FUND REVENUES AND EXPENDITURES
for the Year ended September 30, 1969

Revenues:		
Dues		\$ 33,511.00
Contributions		15,299.60
Operating funds from Thomas and Hugg Fund	\$ 95,089.41	
Less: Special Fund reimbursement included	698.87	
		<hr/> 94,390.54
Sales and service fees:		
Sales of magazines and history notes	\$ 3,695.95	
Sales of books	3,267.30	
Library service fees	7,732.02	
		<hr/> 14,695.27
State of Maryland programs:		
Educational services	\$ 11,025.00	
Road markers	4,975.00	
Archives—transfer of State Funds	6,500.00	
Archives—transfer of internal funds for expense reimbursement	1,000.00	
State indexing	5,000.00	
Magazine indexing	4,404.00	
		<hr/> 32,904.00
Investment income:		
Dividends and sales of rights	\$ 36,195.84	
Interest	23,781.20	
Trust funds	2,950.10	
Real estate	14,780.55	
		<hr/> 77,707.69
Miscellaneous income		2,256.72
Transfer from Special Undesignated Library Fund		2,000.00
Total revenues		<hr/> \$272,764.82
Adjustment: State program funds deferred to next year (net)		1,047.25
Adjustment: Boden Road Marker Fund included in 1967-68 revenue, expended in part in 1968-69—Unexpended		198.72
Total revenues—net		<hr/> \$271,518.85
TOTAL EXPENDITURES—opposite		<hr/> 253,617.18

EXCESS OF INCOME OVER EX-PENDITURES	\$ 17,901.67
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ADD: FUND BALANCE AT OCTOBER 1, 1968	<u>40,937.99</u>
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FUND BALANCE—SEPTEMBER 30, 1969	<u><u>\$ 58,839.66</u></u>
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EXPENDITURES

Personnel expenditures:

Salaries	\$138,059.66	
Social security taxes	6,583.20	
Employees' group insurance	1,175.02	
Contributions to pension plan	7,915.00	
Voluntary pension payments	<u>3,300.00</u>	
		\$157,032.88

Service operations:

Publications	\$ 20,511.17	
Purchase of books and manuscripts	2,874.68	
Special projects	200.50	
Membership extension	<u>896.98</u>	
		24,483.33

Building operations:

Maintenance, repairs and supplies	\$ 11,104.21	
Light, heat and water	21,032.67	
Telephone	4,693.55	
Insurance	605.00	
Burglar alarm	<u>2,986.00</u>	
		40,421.43

General operations:

Supplies	\$ 7,830.57	
Postage	1,352.83	
Meetings expense	1,073.89	
Parking and travel—staff	376.26	
Legal and audit	2,500.00	
Xerox charges	4,343.83	
Storage and hauling—exhibit materials	1,086.64	
Miscellaneous other expenses	<u>2,076.18</u>	
		20,640.20

MARYLAND HISTORICAL SOCIETY

Investment expenses:

Property taxes	\$ 3,433.10
Bank commissions and other charges	2,258.29

5,691.39

Expended on special current fund programs, beyond expenses otherwise included above:

Road markers—State funds	\$ 2,566.74
Educational services—State funds	1,479.93
Road markers—Boden funds	1,301.28

5,347.95

Total expenditures

\$253,617.18

NOTES TO FINANCIAL STATEMENTS

September 30, 1969

1. *Basis of Presentation*

The Society's accounts are maintained on the basis of cash received and disbursed.

Expenditures for books and publications are charged to expense in the year paid and no adjustment is made for inventory. Land and buildings have been capitalized at cost and no provision has been made for depreciation with the exception of certain buildings held for investment, which are being depreciated over their estimated useful lives.

Commencing in the year ended September 30, 1967, all items of furniture and equipment acquired by the society have been capitalized. No provision has been made for depreciation on these assets.

Books, manuscripts, prints, paintings and stationery donated to or acquired by the society are carried on the books at a nominal value.

Investments are valued at cost or at market value at date of donation.

2. *Gift from John L. and William S. Thomas*

Funds for the construction of the Society's new facilities were provided from the trust set up under the wills of John L. and William S. Thomas. The wills also provide for a gift to the Society of the residue of the estate for the maintenance of the new building. While the trustee, the Mercantile-Safe Deposit and Trust Company, will retain legal possession of the estate assets until the building is finally accepted by the Society, because of the Society's substantial completion of all requirements of the will and its constructive acceptance of the building, the gift was recorded in the year ended September 30, 1967. As of September 30, 1969, final settlement had not been made.

3. *Pension Payments*

The Society is making set monthly payments to two former employees. The payments are based on past services and are to continue indefinitely. If payments are made for the expected lives of these individuals, they will aggregate approximately \$52,000.00.

SAIL MAKING.



JOHN H. ADAMS,


Lower end West Falls Avenue,

(CITY BLOCK.

Respectfully informs his friends and the public generally, that he has withdrawn from the firm of MILBOURNE, ADAMS & McGEE, and is prepared to

**FURNISH MATERIAL
AND MAKE
ALL KIND OF SAILS,**

ON THE MOST REASONABLE TERMS.

All work done by him will be guaranteed to give entire satisfaction. He keeps constantly on hand a force of the very best workmen that can be gotten in the city of Baltimore, and with the aid of a foreman whose abilities are unsurpassed, and his own personal attention, he feels perfectly confident that no one will go away dissatisfied.  Also on hand an assortment of the very best quality of

COTTON DUCK,

Made expressly to order, which he will always furnish at the lowest market price.

CONTRIBUTORS

MARION V. BREWINGTON served in the Department of Naval History during World War II. Long resident of Maryland's Eastern Shore and an authority on the Chesapeake Bay, he has written numerous books and articles on maritime subjects and formerly was editor of *The American Neptune*. Currently he is Director of the Kendall Whaling Museum, Sharon, Massachusetts. His two most recent books, with his wife as co-author, are *Kendall Whaling Museum Paintings*, 1965, and *Kendall Whaling Museum Prints*, 1969, both of which were published by the museum.

PENELOPE CAMPBELL is an Assistant Professor at Agnes Scott College. Professor Campbell holds a doctor's degree from The Ohio State University where she completed her dissertation, "Maryland in Africa: The Maryland State Colonization Society, 1831-1857," in 1967. In 1968 she was awarded a summer Fulbright grant to study Indian civilization and political institutions.

KENNETH CARROLL is Professor of Religion at Southern Methodist University. He is the author of *Joseph Nichols and the Nicholites* and editor of *The Creative Centre of Quakerism*. He is also the author of *Quakerism on the Eastern Shore* which has just been recently published by the Maryland Historical Society. Professor Carroll has also published articles in the *Journal of the Friends Historical Society* and *Quaker History* and is a frequent contributor to this *Magazine*.

JAMES HAW is a doctoral candidate at the University of Virginia and is working on the politics of Revolutionary Maryland. He has been a Woodrow Wilson scholar and currently holds a Danforth University Teaching Fellowship.

JANE HENRY is a graduate of Salisbury State College and is a student of Maryland history. Mrs. Henry's article was done under the direction of Professor William Wroten and was presented at the Regional Historical Conference of Phi Alpha Theta at Howard University in 1968.

MARYLAND HISTORICAL MAGAZINE

A Quarterly

Volume 65

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Number 2

MARYLAND POLITICS ON THE EVE OF REVOLUTION: THE PROVINCIAL CONTROVERSY, 1770-1773

BY JAMES HAW

THE abatement of the imperial crisis between 1770 and 1773 brought little relief to the harried governors of Britain's North American colonies. Thoroughly aroused and twice victorious since 1765 in defense of the rights they proclaimed, the patriot leaders were quick to seize upon any local grievance that could be interpreted as a threat to their liberties. The struggle continued at the provincial level as the assemblies defended their powers against real or fancied encroachments.¹

A striking example of these disputes was the controversy in Maryland over officers' fees and ministers' salaries. Since Maryland was a proprietary province, the power of the crown was not directly involved, but the problem nevertheless reflected the larger question of imperial order. Both a product of the in-

¹ Merrill Jensen, *The Founding of a Nation* (New York, 1968), chps. 15 and 16.

cient revolutionary movement and a contributing factor in its development, the Maryland controversy featured the familiar issues of home rule, taxation without representation, and a supposed conspiracy against liberty. It strengthened the suspicion of many that designing men in government were using their power to destroy the balanced constitution and establish a tyranny. In many respects it embodied the imperial crisis in microcosm.

In September 1770 Maryland's tobacco inspection act of 1747 came up for its third renewal. The act required the exportation of tobacco through public warehouses, where inspectors certified it as to quality. Tobacco inspection was of great importance to the province, since tobacco was not only its staple crop but a medium of exchange as well.² The salaries of clergymen of the established church, fees of government officials, fines and court costs, and many taxes, as well as private obligations, were commonly paid in tobacco or warehouse receipts. Thus not only the maintenance of Maryland's competitive position in the tobacco trade but also the acceptability of her leafy currency required that assured quality in tobacco exports be maintained.

No one questioned the utility of the act's regulatory provisions, but it also provided a table of fees for provincial officers and set the yearly salary of ministers of the established Anglican church at thirty pounds of tobacco per poll, or head, for each taxable resident in their respective parishes. Now, in 1770, both the officers' fees and the salaries of the clergy were widely considered to be too high. The denial in many cases of the option to pay in currency rather than tobacco—a real grievance for those who did not raise the staple—added to popular dissatisfaction. Many pointed also to alleged abuses in the existing fee system, chiefly the common practice of dividing one service for which a fee was allowed into several different acts, with a separate fee being charged for each.³

² Charles Albro Barker, *The Background of the Revolution in Maryland* (New Haven, 1940), p. 69.

³ Bernard C. Steiner, "Life and Administration of Sir Robert Eden," in Herbert B. Adams, ed., *Anglo-American Relations and Southern History* (Baltimore, 1898), p. 37; Elihu S. Riley, *Correspondence of "First Citizen"—Charles Carroll of Carrollton, and "Antilon"—Daniel Dulany, Jr., 1773, With a History of Governor Eden's Administration in Maryland, 1769-1776* (Baltimore, 1902), p. 16.

Another factor in the situation was that many Anglican clergymen were generally regarded as unfit or even profligate. In 1770 the bizarre case of the Reverend Bennet Allen was still fresh in the popular mind. Allen had arrived in Maryland in 1766 with directions from Lord Baltimore that he receive a choice position and two, if necessary, to furnish him with a good living. Installed in St. Anne's Parish, Annapolis, which he complained brought him an income "hardly sufficient to keep him in liquor," Allen became notorious as a heavy drinker. In October 1767 Allen accepted an offer of a more profitable parish at Herring Bay but insisted on keeping St. Anne's as well. Neither vestry would agree to this arrangement, and when he was so notified, Allen challenged the vestryman, who brought the bad news, to a duel. Backing out, he then began a bitter feud in the newspapers with the powerful Dulany family, whom he held primarily responsible for the conduct of the two vestries. A vacancy in All Saints Parish, Frederick County—the richest clerical living in the province—presented an opportunity to end the dispute in May 1768, and Allen was promptly packed off to that frontier area. Discovering upon his arrival that the parishioners of All Saints "had petitioned the governor to have the immense parish divided, Allen suspected a plot to bar him from office. Without a word to the vestry, he wheedled the church keys from the sexton's serving maid and performed the ceremony of induction . . . to an empty church." The enraged vestrymen ordered the church doors barred, but Allen foiled them by climbing through a window at four o'clock on the following Sunday morning and calmly awaited the arrival of his flock. When a delegation of the congregation tried to "drag him from the pulpit," he "drew a pistol on the ringleader" and threatened to shoot him. The congregation then withdrew and began to pelt Allen with stones through the doors and windows. Allen, appointing a popular curate to perform his duties, fled and subsequently moved to Philadelphia.⁴ Such activities were hardly calculated to move Maryland taxpayers to generosity in setting their ministers' salaries.

When the General Assembly met in September 1770, the old tobacco inspection act was continued until October 22 in order to allow time for a new bill to be drafted. The Lower House

⁴ Aubrey C. Land, *The Dulanys of Maryland* (Baltimore, 1955), pp. 280-284.



Robert Eden, Proprietary Governor of Maryland (1769-1776) in the uniform of the Coldstream Regiment of Foot Guards. From a card photograph. Maryland Historical Society

produced such a bill, calling for reductions in the table of fees and remedying the other defects they saw in the old system. But on October 22, as the old law expired, the Upper House rejected this bill. They professed themselves eager to remedy genuine abuses and willing to agree to a currency payment option in all cases, but reductions in the officers' fees and clergy salaries they could not countenance. The Upper House, which also acted as the governor's Council, included among its members the Commissary General (chief judge of probate), Attorney General, Secretary, and two judges of the Land Office, whose income came largely or entirely from fees.⁵ These officers naturally saw the proposed fee reduction as a threat to their livelihoods, and the result was deadlock.

⁵ Donnell MacClure Owings, *His Lordship's Patronage; Offices of Profit in Colonial Maryland* (Baltimore, 1953), pp. 10-11; William H. Browne, et al., ed., *Archives of Maryland* (70 vols., Baltimore, 1883-present), LXIV, p. xiii; Riley, *Correspondence of "First Citizen,"* p. 16.

As the two houses exchanged repeated messages in a fruitless attempt to negotiate a conference on the bill,⁶ a new incident further widened the gulf between them. Benedict Calvert and George Steuart, Judges of the Land Office, instructed their deputy, Land Office clerk William Steuart, to continue collecting fees at the rates authorized under the expired law. Asserting that the legislature alone could set fees, the Lower House moved swiftly to punish Steuart for contempt of its authority. Governor Robert Eden was finally forced to prorogue the assembly for a few days in order to rescue the unfortunate clerk from prison.⁷ Thus, when the 1770 session finally ended without agreement on a tobacco inspection act, the state of the province was potentially explosive.

With no legal inspection machinery in existence, the planters of Charles County organized a private inspection system in December 1770 in order, as they said, to prevent the sale of "Virginia trash for Maryland tobacco." Other counties followed suit, and for the next three years these extra-legal organizations tried to maintain the quality of Maryland's tobacco exports. In some areas the associations functioned also as instruments of economic warfare. The private inspector at Indian Landing, Anne Arundel County, was forbidden to "view, examine, or inspect, or brand or mark any Tobacco whatsoever, which shall be brought to the . . . Warehouse, by any Officer or Clergyman."⁸

The officers' fees proved a more difficult matter; but, with the advice of his Council, Governor Robert Eden attempted a solution. Eden, a career military officer, owed his gubernatorial position to his marriage to Caroline Calvert, sister of Frederick, Lord Baltimore. He was nevertheless a capable administrator, said to have possessed great "prudence and foresight" as well as an engaging personality that retained for him the personal regard even of those who were bitterly to oppose his policy.⁹

Eden's solution, the fee proclamation of November 26, 1770, forbade any officer to charge more than the old table of 1747 had allowed. A cleverly worded document, it was issued

⁶ *Maryland Gazette* (Annapolis), Nov. 29, 1770.

⁷ *Archives of Maryland*, LXII, pp. xxvii-xxviii.

⁸ Steiner, "Sir Robert Eden," p. 42; *Maryland Gazette*, March 28, 1771.

⁹ Steiner, "Sir Robert Eden," pp. 7, 46; William Eddis, *Letters from America* . . . (London, 1792), pp. 36-37.

on the grounds of the need to prevent extortionate fees; the effect was, of course, to sanction the maintenance of the former rates. Eden based his right to settle the matter by proclamation on the proprietor's prerogative under the charter of 1632 and on precedent. A similar lack of legislation between 1733 and 1747 had been remedied by proclamation.¹⁰

The Lower House had other ideas, however. Failing to break the legislative deadlock in the 1771 session, it resolved unanimously that the proclamation was "illegal, unconstitutional, arbitrary, and oppressive," since the power to tax was vested in the legislature alone. The representatives did not attack the governor directly but shifted the blame to those "enemies to the peace, welfare, and happiness of the province, and to its law and constitution" who had advised him to issue the proclamation.¹¹ The truth of the matter probably was that the Governor and Council, faced with a situation of legal uncertainty that could have led to endless litigation, sought to prevent trouble by laying down a specific rule. Not at all surprisingly, that rule was financially favorable to the officers; and the popular leaders, flushed with their success against the Stamp and Townshend Acts and on the alert for new threats to their liberties, challenged the proclamation.

The clergy meanwhile were finding some positive advantages in the expiration of the 1747 act. Their position was that its lapse had brought back into effect an act of 1702 under which the ministers had received forty pounds of tobacco per poll instead of thirty. This view seems at first to have been generally accepted. Even the noted patriot lawyer and agitator Samuel Chase gave his opinion on May 29, 1772, that the sheriffs were obliged to collect this assessment if the act of 1702 were valid—and he had already pronounced it so on April 3.¹²

Chase would soon have cause to regret that he had taken such a stand. The popular leaders of the country (anti-proprietary) party suddenly discovered in June or July that the act of 1702 was and always had been a perfect nullity. King William III, in whose name the Assembly of 1702 had been called—Maryland then being a royal province—had died before it met.

¹⁰ Steiner, "Sir Robert Eden," pp. 55-56.

¹¹ Barker, *Background of Revolution*, p. 349.

¹² *Maryland Gazette*, Aug. 6 and Sept. 3, 1772.

Since new writs had not been issued in the name of his successor, the Assembly's meeting and all of its actions were invalid.¹³

The country party's position on both officers' fees and the "forty per poll" was now fully matured. Their challenge to the proprietary establishment entered a new phase in the columns of the *Maryland Gazette*. After six weeks of skirmishing in the newspapers between friends and foes of the clergy's cause, the controversy subsided briefly, only to burst into full-scale newspaper warfare on both fronts at the end of 1772.

The opening shot was fired by "Jack Frank" in the *Maryland Gazette* on July 30, 1772. If the act of 1702 were void, he reasoned, then the act of 1700 which it sought to repeal would still stand; and this act also granted to the ministers their forty per poll. Ah, replied "Candor," but the act of 1700 was repealed under the general provisions of another act, this one in 1704, which struck down all legislation of the 1700 session with a few specific exceptions.¹⁴ "Tim Catch" was ready with a rebuttal. A clause of the act of 1704 reserved "to all and every person or persons, whatsoever was and is his and their rights and benefits, which he or they had by the former acts of assembly." The forty per poll, he argued, was certainly a "right and benefit" of the clergy, and therefore their right to it remained intact. Supporting the clergy's position in the same issue of the paper, "Expositor" rudely inquired of his opponents why it had taken them seventy years to discover the invalidity of the act of 1702.¹⁵ The spokesmen of the popular group could only answer that the "rights and benefits" clause of 1704 did not apply to the forty per poll; and "A.B." went so far as to challenge the legality of Anglican establishment itself.¹⁶

Jonathan Boucher, an Anglican minister of Annapolis, later described the popular reaction to the controversy and its effect on the clergy in these terms:

The lawyers . . . in a sort of frenzy . . . now pretended the law by which the clergy claimed the forty per poll was null and void. And this opinion they published in the newspapers, offering at the same time to defend the people who, in consequence of it,

¹³ William Paca, opinion of Aug. 15, 1772, in *ibid.*, Sept. 10, 1772.

¹⁴ *Ibid.*, Aug. 6, 1772.

¹⁵ *Ibid.*, Aug. 13, 1772.

¹⁶ *Ibid.*, Aug. 20, 1772.

should refuse the payment of their taxes to the clergy gratis. The consequence of such a step may easily be guessed; at first I received about half my salary, and ever after less and less. A suit was commenced in behalf of the Clergy; but when after infinite trouble and delay it was got ready for trial, the troubles had then gotten to such a height that we could get no lawyer to try it.¹⁷

Contentious, unshakeable in his convictions and opinions, and distinctly proud of his literary abilities,¹⁸ arch-Tory Boucher could be counted upon to grasp the first good opportunity to strike at those who so threatened his livelihood. That opportunity was not long in coming. Boucher entered the fray with an open letter to the leading opponents of the act of 1702, William Paca and a now repentant Samuel Chase, on December 31, 1772. In an attempt to undermine the popularity of his principal adversaries, Boucher injected a new issue into the dispute:

To my very great surprise, I have been informed you still continue to act as vestrymen of St. Anne's parish; and that you went so far as to concur with others of your brethren in a petition to the county court, dated November 10th, 1772, for an ASSESSMENT of 5 lb. of tobacco per poll, on the taxable inhabitants of the said parish [to repair the church]!

Boucher then addressed to his adversaries a series of questions implying that their authority as vestrymen could be derived only from the act of 1702, the validity of which they denied; and that, if the act were indeed void, they were in effect taxing the parishioners without their legal consent. Boucher made it clear that he personally considered the vestry's conduct both legal under the act of 1702 and well advised; "but your tax on the people cannot be justified on that foundation; because you deny the existence of any such law. The publick voice arraigns you of duplicity, of acting in direct opposition to the principles you avow. . . ."¹⁹

In challenging Chase and Paca, Boucher was tackling no mean foe. The two Annapolis lawyers were among the foremost leaders of the anti-proprietary cause. Samuel Chase, 31, self-made son of a provincial minister from whom he inherited

¹⁷ Jonathan Boucher, *Reminiscences of an American Loyalist* . . . , ed. by Jonathan Boucher (Boston, 1925), pp. 69-70.

¹⁸ *Ibid.*, pp. 1-96.

¹⁹ *Maryland Gazette*, Dec. 31, 1772.



William Paca (1740-1799), Oil painting by Charles Willson Peale. On deposit in the Maryland Historical Society from The Peabody Institute.

nothing of value except his character,²⁰ was "a born leader of insurrection" with a "gift for invective that in the heat of debate knew no restraint."²¹ A member of the Lower House since 1764, Chase subsequently culminated his career by becoming a justice of the United States Supreme Court.

²⁰ Rosamund Randall Beime, "The Reverend Thomas Chase: Pugnacious Parson," *Md. Hist. Mag.*, Vol. 59 (March, 1964), p. 14.

²¹ Edward S. Corwin, "Samuel Chase," in Allen Johnson and Dumas Malone, eds., *Dictionary of American Biography*, 20 vols. (New York, 1928-1936), IV, p. 35 (hereafter cited as *D. A. B.*); Francis F. Beime, "Sam Chase, 'Disturber,'" *Md. Hist. Mag.*, Vol. 57 (March, 1962), p. 81.

William Paca, 32, was descended from one of the great Maryland families that combined landed wealth and political influence.²² He was thus afforded every opportunity for advancement, including a legal education completed at the Inner Temple. Paca first entered the Lower House in 1768, "and soon became identified with the party opposed to the Proprietor."²³ His later offices included chief judge of the Maryland General Court and governor of that state from 1782 to 1785.

Chase and Paca's reply began with a direct shot at their adversary. "UNCHARITABLE PRIEST! Tell us what passion dictated your resentment against us? Was it a laudable zeal for the publick welfare, or was it Revenge!—Revenge, for thwarting the pretensions of the Clergy to the forty per poll?"²⁴ The two lawyers easily established the vestry's power to tax by reference to acts of 1704 and 1729, but were hard pressed to defend the legal existence of the vestry itself without reference to the act of 1702. They could do so, it developed, only on general principles:

If a man has an independent authority originating in himself, he may delegate it to another. The principle of natural right equally holds with respect to a society; and therefore the powers, which every assemblage of people possess as common and natural rights, they may transfer into the hands of a select body of men.²⁵

When a parish is established, the parishioners, by common law, founded upon publick utility, become a body politic. . . . But, by particular custom, grounded upon the principle of general convenience, this authority of the whole body of the parishioners may be delegated to a select number, who are distinguished by the appellation of VESTRYMEN.²⁶

Chase and Paca were on the defensive. Boucher ridiculed their efforts to base the legality of the vestry on custom and common law, and he did not fight alone. Certain self-styled "Freeholders of St. Anne's" entered the contest to declare that "by the Common Law, by Custom, or by Usage, the Parish-

²² Albert Silverman, "William Paca, Signer, Governor, Jurist," *Md. Hist. Mag.*, XXXVII (March, 1942), p. 1.

²³ Mary Elizabeth Fittro, "William Paca," *D. A. B.*, XIV, p. 123.

²⁴ *Maryland Gazette*, Jan. 14, 1773.

²⁵ *Ibid.*, March 18, 1773.

²⁶ *Ibid.*, Jan. 14, 1773.

ioners of St. Anne's have no right to choose Vestrymen. . . . The truth is, Vestries, and the right to choose Vestrymen, have their origin from positive Law;—in an Act of Assembly of the province." If the act of 1702 were invalid, they stated, the vestry had no legal basis, and its assessment was unjustified. Going farther than Boucher would probably have liked, the "Freeholders" concluded, "Ye patriotick inhabitants of St. Anne's, exert your prerogative, by refusing to pay a most illegal exaction; save your money, and protect your liberties from invasion."²⁷

In some quarters at least, Boucher's attempt to convict his adversaries of taxing the people without their consent had struck home. Chase and Paca could only reiterate that vestries were derived from common law, stating lamely that "the people of this province have before this time strenuously contended for the extension of the English common law as their birth-right, and which was at length yielded to them." But although outmaneuvered, they were not intimidated. The two lawyers declared defiantly,

That we, as well as others, have dissuaded people from paying the forty per poll is true; they are welcome to any assistance, we can give them against it, and if you call this inflaming the people, we have done it, and shall continue to do it.²⁸

Before it subsided in April 1773, the clergy controversy had been overshadowed by a greater question of taxation and the powers of representative bodies. An impassioned contest over officers' fees, entered into by numerous writers and followed with great interest throughout the province, was sustained through the first ten months of 1773. It began with the publication on January 7 of a dialogue between two citizens, the first opposed to Governor Eden's proclamation of 1770 and the second defending it, in which the latter was made to get the better of the argument. The anonymous "Editor" of the conversation was soon—but not immediately²⁹—recognized as Daniel Dulany,

²⁷ *Ibid.*, Jan. 28, 1773.

²⁸ *Ibid.*, March 18, 1773.

²⁹ "An Independent Freeman" mistakenly believed the dialogue to be a campaign document written by, or in behalf of, an "aged Merchant" of the court party then running for an Annapolis seat in the Lower House. *Ibid.*, Jan. 21, 1773. The merchant in question was one Anthony Stewart.



Daniel Dulany, the elder (1685-1753) held the office of Attorney General and Commissary General of Maryland. Oil painting attributed to Justus Engelhardt Kühn. On deposit in Maryland Historical Society from The Peabody Institute

the provincial Secretary, one of the wealthiest men in Maryland and reputedly the ablest lawyer of the colony's bar.

Nearly a month later, on February 4, the anti-proprietary element was delighted by the appearance of its champion. Charles Carroll of Carrollton—wealthy, relatively young, well-educated in Europe but unseasoned, and disfranchised because of his Catholic faith—assumed the role of the "First Citizen." Announcing that the earlier version of his conversation had misrepresented his position, he submitted a corrected dialogue that gave him the better of the argument. Abandoning the dialogue format, Dulany replied under the pseudonym of "Antilon," and the most celebrated newspaper battle of colonial Maryland was on.³⁰ A family feud of some years' standing between the Carrolls and the Dulanys added personal motives to the public issues involved.

³⁰ For the full exchange, see *ibid.*, Jan. 7, Feb. 4 and 18, March 11, Apr. 8, May 6, June 3, and July 1, 1773.

Dulany is in many respects the key figure in the entire situation. He achieved wide popularity with his brilliant 1765 pamphlet against the Stamp Act but became a Loyalist in the Revolution. Dulany was a man of principle and integrity who believed firmly in the rights of the colonies under the British constitution but refused to go beyond peaceful and legal means of resistance in obtaining the redress of colonial grievances. His unchanging position throughout the period of imperial crisis was that

a man must not pretend to reconcile his conduct with consistency . . . when I hear him pronouncing, that certain bodies of men have peculiar and indubitable rights, at the very time that he is moving heaven and earth to destroy the only Law, which is the foundation of those rights.³¹

In Maryland politics Dulany, like his father before him, was a pillar of the proprietary regime. This did not preclude him, however, from siding against Lord Baltimore on occasion.³² A member of the Council since 1757, Dulany as provincial Secretary had established his power to appoint the county clerks and thus had an independent patronage system of his own. He was steadily entrenching his family in the bastions of power. Walter Dulany, his brother, was Commissary General and Councillor until his death in mid-1773. Another brother, Lloyd, was on the way up. Through his in-laws, the influential Tasker family, Daniel Dulany had connections to the Bladens and the Ogles and more remotely to the proprietary Calverts themselves.³³ The 1773 Council included Benedict Calvert and Benjamin Ogle as well as the two Dulanys. Country party leaders could not be blamed for their fear that a family dynasty was developing.

Dulany's opening dialogue is a most intriguing and revealing document. It is largely a subtle refutation of the kind of personal attacks and charges that Carroll was to direct against Dulany later in the controversy. The explanation for this apparent anomaly is undoubtedly that citizens concerned about

³¹ *Ibid.*, Jan. 7, 1773.

³² The only adequate treatment of Daniel Dulany is Land, *Dulanys of Maryland*.

³³ Rosamund Randall Beirne, "Portrait of a Colonial Governor: Robert Eden," *Md. Hist. Mag.*, XLV (September, 1950), p. 156.

the fee proclamation were expressing many of the same sentiments before the newspaper dispute began that they put into print afterwards.

Carroll's sympathizers held Dulany largely responsible for the proclamation. He was the "court lawyer" who had advised it, and he and his relatives were among those who profited most from the high fees it continued. Dulany's "avarice and ambition," his dependence on the court (proprietary) faction for preferment, had allegedly led him to abandon his principles of 1765 and connive in a plot against liberty. Carroll could see the danger clearly. The proclamation, if successful, would allow the governor and Council in effect to set their own salaries without reference to the people's representatives. Fees regulated by proclamation could be raised by proclamation, and the people would have no security against ever-increasing oppression. The governor and Council, moreover, would be less dependent on the General Assembly if its voice in their salaries were removed; and, with their control of the patronage, the proprietary element could easily tip the province's constitutional balance of power in their favor. A prolonged sequence of events had by this time convinced many in America that a corrupt and corrupting British ministry entertained a settled design of subjecting the colonies to tyranny.³⁴ Little wonder, then, that many Marylanders saw a similar conspiracy in parallel developments within their own province.

In this context Dulany's defense becomes comprehensible. Speaking through the character of the second citizen in his opening dialogue, Dulany answered the first citizen's charges that he was an enemy to the cause of freedom, corrupted by the "irresistable bias of personal attachment" to a government that was overcoming liberty. Dulany protested that he was a "determined friend to Government, and . . . to Liberty too." Annoyed at his opponents' wild accusations, he asked them "in the name of Common sense" to cease their "fruitless experiments on my passions; a truce to your threadbare topicks of Arbitrary Princes, Proclamations, and your Forty per poll!" Dulany ridiculed the notion that supporters of the proclamation were evil conspirators against the people's rights.

³⁴ Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass., 1967), pp. 94-160.

Have not they as deep a stake in the safety of the Constitution as you, or your friends? What can possibly tempt them to join in the demolition of that bulwark, which alone shelters them in the enjoyment of their fortunes, and of every comfort that can plead to the reason, and interest the heart of man? If they are Tools and Hirelings for this purpose, then are they a kind of lunatick wretches, that no language can describe. . . . Would they not, think you, spurn at an attempt to frighten or bribe them, with indignation equal to that which would fire the breasts of those, who are eternally crying out as if the enemy were in the gate, and scattering distraction and distrust through the community? . . . Are there among them no substantial merchants [Councillor Walter Dulany was one], who are much likelier to be gainers by sticking close to their own business, than by watching the smiles or frowns of a Court? These are men, whom I should hardly expect to find in a plot against Liberty. . . .

The opponents of the proclamation, Dulany asserted, had become so suspicious that reason could no longer reach them. If I were to produce, he wrote, "the opinions of the greatest Counsel in England . . . point blank in favour both of the Proclamation and Forty per poll, you would swear that they were forgeries; or . . . that their authors were barefaced knavish Lawyers, who would at any time, sell opinions contrary to their consciences." The real danger lay not in Governor Eden's position but in the actions of his misguided opponents.

The blessings of Order, will still be preferred to the horrors of Anarchy; for to such must the principles of those men inevitably lead, who are fixed in their purpose, of opposing Government at all adventures, and preposterously contend that such a system is neither interest, nor faction, but genuine patriotism.

Dulany concluded by admonishing his detractors to "learn, for the future, to be charitable to those who differ from you in opinion; and judge not, lest ye be judged."³⁵

In his later letters Dulany advanced a carefully formulated legal defense of the proclamation. Its avowed purpose, he said, was to prevent the charging of extortionate fees. With the expiration of the only law covering the subject, officers would have been free to demand any compensation they wished without being punishable for extortion. That crime consisted in

³⁵ *Maryland Gazette*, Jan. 7, 1773.

taking excessive fees, and no legal standard would have existed for determining what was excessive and what was not. In many cases, such as application for writs or copies of official records, the citizen would have faced the unhappy alternatives of paying what was demanded of him or foregoing the legal remedy he sought.

To prevent such a state of affairs it was the governor's clear duty—as well as his undoubted prerogative—to limit by proclamation the fees that could legally be charged. His right to act was rooted in both English and provincial precedent. The proclamation of 1770, moreover, was merely a restriction on the actions of the officers and was in no way prejudicial to any rights of the people. It did not establish a table of fees, but merely fixed a ceiling upon them; and that ceiling was based on the old table of 1747, the lowest rates in the history of the province. Furthermore, the proclamation set no enforcement machinery of its own. The recourse of officers seeking to collect what was due them was to the ordinary courts of justice.

The matter, Dulany asserted, had nothing to do with taxation. Taxes and fees were two different things entirely, and the distinction had long been recognized. In England taxes could be levied only by act of Parliament, while fees had been set in various instances by Lords or Commons acting alone, and by the courts on their own authority, with no question of the legality of such actions. Governor Eden's proclamation, Dulany concluded triumphantly, was legal and at the same time beneficial to the province.

Needless to say, Carroll's feelings on the subject were quite different. His letters, like Dulany's, were often legalistic, but there was a difference of emphasis. Carroll's purpose in writing, he said, was to demonstrate that the proclamation was "contrary to the spirit of our constitution in particular, and would, if submitted to, be productive of fatal consequences."³⁶ He thus began with general principles:

Government was instituted for the general good, but Officers intrusted with its powers, have most commonly perverted them to the selfish views of avarice and ambition; hence the Country and Court interests, which ought to be the same, have been too often

³⁶ *Ibid.*, March 11, 1773.

opposite, as must be acknowledged and lamented by every true friend to Liberty.³⁷

Our constitution is founded on jealousy, and suspicion; its true spirit, and full vigour cannot be preserved without the most watchful care, and strictest vigilance of the representatives over the conduct of administration. . . . The pursuits of government in the enlargement of its powers, and its encroachments on liberty, are steady, patient, uniform, and gradual; if checked by a well concerted opposition at one time . . . they will be again renewed by some succeeding minister at a more favourable juncture.³⁸

These generalizations could be graphically illustrated by reviewing English history. "The liberties which the English enjoyed under their Saxon kings" were destroyed by "the Norman conqueror" who "intirely changed the ancient constitution." The following centuries until the Tudor accession Carroll summarized as a period of "struggles between monarchy, and aristocracy, not between liberty, and prerogative; the common people remained in a state of the most abject slavery." Meanwhile, though, the House of Commons, having "derived its first existence from an usurper" (Simon de Montfort), "gradually rescued the people from . . . tyranny, to which we owe our present excellent constitution." Parliament's final triumph was the victory over Stuart despotism in 1688. Since that date, however, Parliament had trustingly reposed an "unbounded confidence in his Majesty's servants" that had blinded it to a "vast increase of officers, placemen, and pensioners." This extension of the patronage was leading to "an irresistible influence in the crown over those national councils." Having exposed his variation of the Whig view of English history, Carroll exhorted his readers to "profit by the errors and vices of the mother country; let us shun the rock, on which there is reason to fear, her constitution will be split."

The liberty of Englishmen, says an admired writer, can never be destroyed but by a corrupt parliament, and a parliament will never be corrupt, if government be not supplied with the means of corrupting; among these various means, we may justly rank a number of lucrative places in the disposal of the crown.³⁹

³⁷ *Ibid.*, Feb. 4, 1773.

³⁸ *Ibid.*, May 6, 1773.

³⁹ *Ibid.*, July 1, 1773; H. Trevor Colbourn, *The Lamp of Experience; Whig History and the Intellectual Origins of the American Revolution* (Chapel Hill, N. C., 1965), pp. 138-142.



Charles Carroll of Carrollton (1737-1832), a portrait in oil by Michael Laty after Robert Field. Maryland Historical Society

Maryland's situation, Carroll believed, was analogous to that of the mother country. The provincial government, with a large patronage at its disposal, was

almost independent of the people. It has nothing to ask but a provision for its officers: if it can settle their fees without the inter-position of the legislature . . . the delegates will soon lose their importance, government will every day gain some accession of strength; we have [no way] . . . to check its progress.⁴⁰

The monies collected from the people, and paid to officers, amount annually to a large sum; officers are dependent on, and of course attached to government; power is said to follow property; the more, therefore, the property of officers is increased, the greater the influence of government will be. . . .⁴¹

Thus, in Carroll's view, an already dangerously unbalanced provincial constitution was in danger of giving way completely

⁴⁰ *Maryland Gazette*, July 1, 1773.

⁴¹ *Ibid.*, May 6, 1773.

to absolutism. He likened the proclamation to Charles I's arbitrary exaction of ship money. He, believing Eden to be "willing to promote, if left to himself, the happiness and welfare of the province; but youthful, unsuspicious, and diffident of his own judgment in matters legal and political: feelings . . . that have caused him to repose too great a confidence in you [Dulany]," did not blame Governor Eden for the difficulty.⁴² Carroll, applying to Eden the doctrine that the king could do no wrong, blamed his corrupt "ministers" for the evil. Chief among these ministers was Dulany, who had been "induced . . . to abandon old principles," readily sacrificing liberty "for the present enjoyment of wealth and power. . . . Besides a perpetuity in office may be aimed at; hopes may be entertained that the good thing, like a precious jewel will be handed down from father to son."⁴³

Within this framework of thought Carroll addressed himself to the specific arguments that had been advanced in favor of the proclamation. Fees, he maintained, were "a charge on the people" and therefore taxes and to tax the people "without the consent of their representatives, is a measure striking at the root of all liberty."⁴⁴ The Maryland legislature's long history of regulating fees, Carroll said, established its right to do so. Any prerogative the proprietor might once have had in this area had been renounced by his governor in 1692. Prerogative, in any case, was limited to measures for the enforcement of existing law; it could not make new legislation as Eden had in essence done. The First Citizen was convinced that the Governor, despite his protestations to the contrary, had indeed established a new table of fees. His limitation of the maximum rates to those established by the old law, as Carroll saw it, "ought rather to be considered as a direction to the officers, what to demand, and to the people, what to pay, than as a restriction of the officers."⁴⁵

If there had been no proclamation, Carroll asserted, the situation of the people would not have been nearly as dark as his adversary alleged. Citizens could have paid the officers what they deemed just; any officer who felt entitled to more could

⁴² *Ibid.*, March 11, 1773.

⁴³ *Ibid.*, Feb. 4, 1773.

⁴⁴ *Ibid.*, July 1, 1773.

⁴⁵ *Ibid.*, March 11, 1773.

have sued in the courts; and the final issue would have been decided, under common law, by jury trial. As it was, final determination of fees would be made by "the supreme magistrate, or the judges acting under an authority delegated from him," that is, by the governor or his agents. Not only was this arrangement in derogation of common law but it also meant that the judge who set the fees might also be the officer entitled to them. In fact, said Carroll,

The person, who calls himself Antilon, has filed a bill in chancery for the recovery of fees principally due for services done at common law; by appealing to the court of chancery, of which the governor is sole judge, and in whom, he contends, the will to ordain the rates, and the power to enforce them are lodged, he has endeavoured to establish a tyranny in a land of freedom.⁴⁶

The controversy between two such able protagonists evoked avid and widespread popular interest.⁴⁷ Many a citizen wrote to the *Maryland Gazette* encouraging the champion of his persuasion or adding to the stream of personal abuse with which the two principals punctuated their arguments. Supporting the proclamation on May 13, "Brutus" recommended the study of history in order to learn "how to guard against the pestilent designs of such demagogues, as are perpetually attempting to sow the seeds of dissension and anarchy amongst us." He continued,

It has ever been the policy of those restless, and ambitious spirits, who want genius, wisdom, and learning, to rise in the state, to attempt its subversion by every low art of dissimulation, craft and intrigue. To gain the voice of the people, to mislead their judgment, and to render them the tools wherewith to execute their vile and infamous purposes, they put on the mask of patriotism; declare vehemently against public measures; stigmatize their rulers by the most unjust and villainous accusations; and set themselves up as the only men capable of saving, or reforming the state.⁴⁸

On the other side, "A Customer" wrote somewhat inconsistently to Dulany:

⁴⁶ *Ibid.*, July 1, 1773.

⁴⁷ Land, *Dulanys of Maryland*, pp. 303-304; Charles Carroll of Annapolis to Charles Carroll of Carrollton, Mar. 17, 1773, "Extracts from the Carroll Letters," in *Md. Hist. Mag.*, XIV (Sept., 1919), p. 368.

⁴⁸ *Maryland Gazette*, May 13, 1773.

Oh Antilon! Antilon! as I detest scurrility from my heart, and have some share of decency, I will deal gently with you. The treachery you have practised to all men who have had any thing to do with you, the dark and suspicious means by which you have enrich'd yourself, have made you a by word of detestation, you never did a friendly act in your life, either in your profession or out of it. . . . You are a pitiful, ill-looking, low-lived extortioner—an unnatural composition of venom and spleen—you deserve to be hang'd or banish'd. . . .⁴⁹

Only two of the many letters, however, contributed significantly to the case on either side. The first was the work of John Hammond, a former member of the Lower House. His argument resembled Dulany's in its major points: the distinction between fees and taxes; the need for some action to prevent extortion; and the governor's power and duty to take that action by proclamation for the public good. But Hammond's reasoning was sometimes quite different. For example, he exposed the obvious difference between fees and taxes:

Taxes are certain portions of property, which individuals pay into the hands of the publick, for the publick's service; fees are certain rewards which the officer is entitled to receive of some individuals, to his own or another's private use, for certain services rendered to the party.⁵⁰

To establish the governor's right to issue his proclamation, Hammond quoted John Locke on prerogative. Since the law cannot provide for all eventualities, Locke had said, the executive may, in an emergency when action is required for the good of the people, supplement or even bend legislative enactments by the exercise of prerogative. With the help of Blackstone, Hammond then established that proclamations were legal when made to enforce existing law but not if they contradicted existing statutes or sought to found new ones. Since the fee proclamation merely enforced existing laws against extortion, and since it fulfilled Locke's condition of benefiting the people in an emergency, what valid objection could be made to it?

There were those who thought they knew. A reply on September 9 to Hammond's letter bore the names of Samuel Chase, William Paca, and the other member of their triumvirate,

⁴⁹ *Ibid.*, Oct. 21, 1773.

⁵⁰ *Ibid.*, July 29, 1773.



Frederick Calvert (1731-1771), Sixth Lord Baltimore (1751-1771). Maryland Historical Society

Thomas Johnson. A delegate to the Lower House since 1765, Johnson was to become governor of Maryland and justice of the United States Supreme Court and was to decline an offer by President Washington of the position of Secretary of State in 1795. A much more cautious and sober person than his colleague Samuel Chase, he was characterized by John Adams as "a deliberating man, but not a shining orator."⁵¹

The trio's contribution, written in a tone of partially suppressed righteous indignation, was a minor masterpiece of political propaganda. They contended that the expiration of the act of 1747 created no emergency that could justify the exercise of prerogative since, in the absence of positive enactment, fees would have been determined and extortion prevented by jury decision. Nor was the proclamation an enforcement of existing law. In fixing fees where no standard existed, it was actually new legislation:

⁵¹ Quoted in Edward S. Delaplaine, "Thomas Johnson," *D. A. B.*, X, pp. 121-122. See also Delaplaine's *The Life of Thomas Johnson . . .* (New York, 1927).

It is the right of prerogative to admonish the subject by proclamation against the breach of subsisting laws; but every man . . . denies any right of prerogative to establish what is, and what is not extortion, or to give the rule, or fix the standard for the fees of office, beyond which is, and within which is not, extortion.

The proper role of prerogative would have been to reinforce the "constitutional power of a jury to ascertain the quantum for a service done in case of contest," but instead "the proclamation over-rides the common law, snatches the constitutional power from a jury, and complaisantly gives it to the officers themselves."

And as for the idea that the proclamation was in the interest of the people,

You highly extol the amiable motive of the proclamation to prevent extortion in the exaction of fees beyond the old table set up and established by it. You seem to have forgot, that the complaints of the people are pointed at the table itself; the oppressions of office, from whence arises the opposition, are founded upon the colourable exactions of fees under it. . . . What do the officers contend for? The old table of fees—What do the people object to as oppressive and unjust? The old table of fees. . . . What is the regulation established by the proclamation? The old table of fees. And what is the practice under it? A continuance of the abuses. What, then, was the real object and intention of the proclamation? Was it, the publick good or the emolument of the officers?

The writers made further capital of the fact that the proclamation in effect sought to establish rates that the people's representatives had just rejected. And in the election of May 1773 the people had upheld their representatives by returning them. "What weight, then, have the people in the constitution," they asked rhetorically, ". . . if that shall be enacted by prerogative . . . in the enaction of which they deliberately refuse to concur?" The conclusion was inescapable:

The proclamation in question tends to 'oblige, bind and charge the right and interest of the subject in his goods and chattels,' and is a palpable infraction of the charter, and a manifest invasion of the property of the people.⁵²

⁵² *Maryland Gazette*, Sept. 9, 1773.

Meanwhile the death of Frederick, last Lord Baltimore, and the succession to the proprietorship of his illegitimate minor son, Henry Harford, had made new elections to the General Assembly necessary.⁵³ These were held in May 1773, when the raging controversy over the fee proclamation insured that that question would be the leading issue at the polls.

In those areas for which information is available, the electorate registered themselves solidly against the proclamation. Annapolis led the way. One of the capital's seats was safe for William Paca. John Hall having given up the other to stand for election from Anne Arundel County, the country party put forward attorney Matthias Hammond, who so outpolled his court-connected adversary, merchant Anthony Stewart, that the latter withdrew as the voting went on. To celebrate the triumph of right, a large number of citizens and their two newly elected representatives proceeded to bury the hated proclamation after a solemn funeral procession.⁵⁴ Similar scenes were enacted in Anne Arundel and Frederick counties.⁵⁵ The complete delegations of Annapolis and of Anne Arundel, Baltimore, and Frederick counties publicly thanked the First Citizen for (in the words of the representatives from Frederick) "your spirited, manly, and able opposition to that illegal, arbitrary, and unconstitutional measure."⁵⁶ The only sign of substantial popular dissent came from Baltimore County, where 106 "free-men and freeholders" published their dissociation from the sentiments of their delegates in a signed letter.⁵⁷

Under such circumstances it was not surprising that the Lower House should have reaffirmed its position of 1771 in regard to the proclamation. The delegates resolved unanimously on July 2, 1773, that "the representatives of the free-men of this province, have the sole right, with the assent of the other part of the legislature, to impose and establish taxes or fees" and that the attempt to usurp their power "under colour or pretence of any proclamation issued by, or in the name of the Lord Proprietary, or other authority, is arbitrary, unconstitutional, and oppressive."⁵⁸

⁵³ Steiner, "Sir Robert Eden," p. 78.

⁵⁴ *Maryland Gazette*, May 20, 1773.

⁵⁵ *Ibid.*, May 27, 1773.

⁵⁶ *Ibid.*, May 20 and 27, 1773.

⁵⁷ *Ibid.*, June 17, 1773.

⁵⁸ *Ibid.*, July 8, 1773.

The impasse was partially resolved by the Assembly session of November 16-December 23. The first bill passed during that session was "An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty's Customs." The provisions of this new act essentially recreated the system that had existed prior to 1770.⁵⁹ The Upper House, which had in the past refused to divorce tobacco inspection from the questions allied to it by the act of 1747, now gave way in the face of economic necessity. Tobacco prices, strong from 1766 until at least 1772, had fallen drastically by 1773. The lack of a legal inspection system received much of the blame, and passage of this bill was viewed as "absolutely necessary for the very commercial existence of the province."⁶⁰

On December 8 Governor Eden passed on to the Lower House a letter signed by fifteen clergymen of the established church who, in order to relieve "our unhappy Situation" and "to restore the public Peace and Tranquility," professed themselves willing to "relinquish some of our undoubted Rights." They thereupon advanced three alternate proposals for the settlement of the controversy over their salaries.⁶¹ The delegates did not consider this letter until the 14th, and then began inauspiciously for the ministers by resolving that the act of 1702 for the support of the clergy was void. However, later in the day they appointed a committee to bring in a bill for their maintenance. The result was the successful resolution of the matter. The new act set the maintenance tax at either thirty pounds of tobacco, or the specie value according to a fixed standard of thirty-two pounds, per poll. If the tax were not paid by June 10 of each year, the latter option became mandatory, and the sheriffs were empowered to enforce payment. The new law specifically provided "that neither this Act nor any thing herein contained should be taken or construed to influence the Determination of any Question respecting the Validity or Invalidity" of the act of 1702.⁶² The new act represented

⁵⁹ For the text of the act see *Archives of Maryland*, LXIV, pp. 151-192.

⁶⁰ Robert Eden to the Earl of Hillsborough, Aug. 21, 1772, Fisher Transcripts (Eden Correspondence, 1769-77), Vol. 7, MS. 360, Md. Hist. Soc.; Elihu S. Riley, *A History of the General Assembly of Maryland* (Baltimore, 1905), p. 301; Vertrees J. Wyckoff, *Tobacco Regulation in Colonial Maryland* (Baltimore, 1936), p. 207.

⁶¹ *Notes and Proceedings of the Lower House*, Dec. 8, 1773, *Archives of Maryland*, LXIV, pp. 119-120.

⁶² *Ibid.*, 254-256.

a victory for the country party, since the money payment option actually reduced ministerial incomes substantially, in some instances probably by as much as one half.⁶³ On the major point of contention, the officers' fees, the two houses remained deadlocked. That dispute continued unsettled to the end of the proprietary regime.

Coming as it did on the eve of the Revolution, the political contest in Maryland kept the question of home rule and its defense before the people and helped prepare the way for rebellion. The issue in the officers' fee dispute was broadly similar to that in the imperial crisis itself. The provincial constitution, like the imperial one, was variously defined. At stake was the division of power between proprietary prerogative and popular control. The fee proclamation posed the familiar issue of taxation without representation and, more broadly, threatened the hard-won rights and privileges of the people's representatives. Maryland patriots had fought analogous British measures and had emerged victorious; resistance in 1770 was to be expected.

The secondary dispute over ministers' salaries exacerbated the difficulties. It too involved alleged excessive taxation; and, when the legislative deadlock of 1770 served only to increase that taxation, resentments must have been aroused. When the validity of the "forty per poll" was challenged in 1772, controversy burst forth in the provincial press.

The arguments advanced in the newspaper controversy of 1772-73 reveal much about the attitudes of their authors. They show a deep lack of confidence, even at times of communication, between the two sides. At least some opponents of the proprietary government saw the proclamation as a move by designing officials to subvert the constitution and promote their own dark ends of power and personal enrichment at the expense of popular rights and liberty. The family relationships among high officers, the potential corrupting influence of proprietary patronage, and the influence of a Commonwealth tradition that feared the same evils in England—all lent credence to their beliefs. On the other hand, uncomprehending friends of the court party could interpret such sentiments only as the efforts of demagogues to stir up dissension in the province for

⁶³ *Maryland Gazette*, March 3, 1774; Barker, *Background of Revolution*, p. 366.

their own ends. Such adamant opposition to duly constituted authority could lead only to anarchy!

These, of course, were the extremes. There were areas of agreement also. All of the principals thought of themselves as British citizens entitled to the rights of Englishmen. They assumed that these rights applied to them in full force and that English legal precedent was generally valid in the colonies. The tone of their arguments was legalistic, though Carroll and his supporters referred to abstract rights and principles more often than their opponents. The former claimed for the Maryland General Assembly the status of a provincial parliament,⁶⁴ and no one bothered to contradict them. Both sides agreed that the legislature was ordinarily the proper agency for setting officers' fees. The question was what to do when the legislative process broke down.

The political climate of Maryland in 1773 was highly explosive, potentially revolutionary. The provincial controversy kept the issues and spirit of the 1760's vigorously alive in the popular mind. If serious new acts of real or fancied oppression further confirmed suspicions of a settled design against liberty, many would be ready to resist violently if necessary. After the Boston Port Act of 1774 that is precisely what they prepared to do.

⁶⁴ *Maryland Gazette*, March 11, 1773.

MEDICAL EDUCATION FOR AN AFRICAN COLONIST

BY PENELOPE CAMPBELL

DOCTOR SAMUEL FORD MCGILL was the first Liberian colonist to receive a medical education in the United States. His experiences in Baltimore and later in New England are illustrative both of the training undertaken by prospective physicians and of the treatment dealt blacks a quarter century before the Civil War.

A problem for colonization societies in the nineteenth century was the hiring of physicians to serve in their west African colonies. Both humaneness and common sense dictated that a qualified medical person reside at each settlement to care for new immigrants during their period of acclimation and for all colonists while they lived in the community. The American Colonization Society, founding Liberia in 1821, hired white Americans for the post. But, successive appointees suffered broken health or even death from effects of the dreaded African fever, which was usually malaria. The Maryland State Colonization Society, espousing independent action, encountered similar difficulties when it established a colony at Cape Palmas, some two hundred miles down the coast from Monrovia, in 1834. The founder of Maryland in Liberia was a trained physician, Doctor James Hall. During his brief tenure as agent, he supervised the settlement's development and dispensed medicine with equal ability. His successor, Oliver Holmes, Jr., was a twenty-eight year old dentist sufficiently versed in medical science and the use of drugs to care for colonists when he himself was well. Unfortunately, his frequent illnesses and drinking bouts rendered him of little help. Holmes' appointment was, moreover, only temporary, and the Board of Managers in Baltimore realized the necessity of procuring a permanent and full-time medical practitioner at Cape Palmas.

As early as 1833, when Doctor Hall entered Maryland State Colonization Society employ, he recommended that the Board of Managers send a small library of elementary works on medi-

cine to the proposed colony and that it select several young colonists to study under him or a later appointee. He suggested that two well-acclimated citizens could take charge in the community after a two-year apprenticeship.¹

Nothing came of this suggestion until 1835 when Samuel Ford McGill, son of an early Monrovia colonist then residing at Cape Palmas, inquired of the Society as to his travelling to the United States for medical training. Assigned to correspond with the young hopeful, Moses Sheppard, a Baltimore businessman and philanthropist, attempted to give McGill an accurate picture of obstacles awaiting him. Sheppard warned that the distinction between whites and blacks precluded association.

You must not expect to hear the term Mr. McGill from a white man. In the College you must appear as a servant; there is not a medical school in the U. States into which you could be admitted in any other character, but you will have all the means of improvement and the same instruction as the other students, and in proportion as you waive the claim of equality it will be conceded to you, in proportion as you claim it, it will be denied. . . .

Hoping to discourage hesitant applicants, Sheppard admonished McGill that the Society expected its ward to spend several years of close application and toil to become a man of science, not a bare licentiate, and to return to Cape Palmas. Cautioning that "studying medicine is not strolling through College Halls, reading an hour and whiling away an hour," Sheppard invited the prospect to come if he were willing to accept the conditions outlined. McGill was further advised not to arrive at any port south of Norfolk lest he risk imprisonment.²

To his great credit, McGill chose this course of action. Arriving in Baltimore in the fall of 1836, he found the way paved for entrance into the Washington Medical College of that city. The Society's Board of Managers had hesitated to send him to a northern school because it feared both the climatic effects and abolitionist influence upon its protege.³

¹ Maryland State Colonization Society Papers, MS. 571, Letters, Vol. I, James Hall to Board of Managers, Baltimore, October 12, 1833.

² *Ibid.*, Vol. IV, Moses Sheppard to Samuel Ford McGill, Baltimore, January 12, 1836.

³ *Ibid.*, Vol. V, William Woodward to Faculty of the Washington Medical College, Baltimore, November 10, 1836.



The Washington Medical College, Baltimore, Maryland. This woodcut appeared in *The Family Magazine*, 1838. Maryland Historical Society

The typical nineteenth century medical school consisted of a group of ill-prepared students listening to lectures delivered by a half dozen local physicians. Often it was a proprietary venture in which the faculty shared profits and in which there was no connection with an established university. The teaching method seldom included anatomical dissection and clinical experience.

Washington Medical College was no exception. Refused a charter from the Maryland legislature in 1826 after the rival University of Maryland Medical School faculty applied pressure, the group of founding physicians appealed to Washington College in Washington, Pennsylvania for authorization to establish a medical school in Baltimore under its charter. The new institution opened in 1827. To obtain a degree, students needed only to attend two four-month sessions, pass examinations in all subjects, and present an acceptable thesis. Fees were nominal: matriculation, \$5, tickets for instruction, \$15, diploma, \$10.⁴

⁴ Genevieve Miller, "A Nineteenth Century Medical School: Washington University of Baltimore," *Bulletin of the History of Medicine*, XIV (1943), pp. 14-16.

Favored by national prosperity and a growing Baltimore population, the school graduated twelve in 1828 and had an aggregate of 108 alumni a decade later.⁵ It subsequently fell upon hard times, collapsed altogether in 1851, and was revived briefly in 1867.⁶

A month after McGill's instruction began, white classmates protested to the faculty that "this Boy has gone far beyond the limited space granted him, and has encroached as far upon the privilege enjoyed by the students, as to wound their feelings, [and] disgust them by his actions, . . ."⁷ Asking that he be dismissed, they argued that prejudicial publicity resulting from McGill's attendance would endanger the institution and jeopardize their own professional prospects.⁸

The Colonization Society was taken by surprise. Believing that tact would win McGill's continued schooling in Baltimore, it withdrew the young colonist from the College. Society members sought a personal conference with the offended students, professing that they never intended for McGill to be treated as an equal but as a servant. The supposed deleterious effect of the African climate upon Europeans, the necessity of a permanent physician at Cape Palmas, and the claims of charity were additional arguments for McGill's re-instatement.⁹ The students were not to be reconciled. They reasserted their contention that McGill had overstepped his bounds of conduct, preventing continued instruction in their midst.¹⁰

The Society had no alternative but to send the young man north for a medical education. Through Doctor Hall, New England-born and trained, it arranged for McGill to be the student of Doctor Edward Elisha Phelps in Windsor, Vermont. Doctor Phelps, professor of anatomy and surgery for the temporarily moribund University of Vermont Medical Department, looked upon his endeavor as contributing to the enlightenment and evangelization of Africa. The proposed course

⁵ William Frederick Norwood, *Medical Education in the United States Before the Civil War* (Philadelphia, 1944), p. 245.

⁶ Miller, "Nineteenth Century Medical School," p. 20.

⁷ M.S.C.S. Papers, Letters, Vol. V, N.Z. Chapline and Richard E. Harrison to Faculty of Washington Medical College, n.p., n.d. [December, 1836].

⁸ *Ibid.*, Students of Washington Medical College to Faculty of Washington Medical College, n.p., n.d. [December, 1836].

⁹ *Ibid.*, Ira Easter to Chapline and Harrison, Baltimore, December 17, 1836.

¹⁰ *Ibid.*, H. D. McCulloch, James M. Pool, Jr., N.Z. Chapline to Easter, Baltimore, December 26, 1836.

of study was advanced for that day. In order, students passed from the study of logic, mathematics and the physical sciences to anatomy, the history, nature, and treatment of diseases, and surgery. Each six months, candidates had a chance to show their progress. Whereas four years was considered standard for achieving the M.D. degree, students could vary time spent according to their inclinations.¹¹

In transferring McGill to a New England setting, the Colonization Society undertook to shield him from Boston abolitionists and to prevent reoccurrence of events which had necessitated his move. Society friends were asked to meet him upon arrival in Boston and to conduct him immediately to a coach for the overland journey.¹² Ira Easter, Society agent in Baltimore, cautioned him about his behavior.

In regard to your general deportment to all classes of society your residence both in Africa and in this country, cannot fail to have taught you, that prudence and circumspection are particularly needed in the present excited state of the public mind, in regard to the African race. You must not forget for a moment, that you are an *African in America*; and in that relation, whatever may be your sense of equality with your fellow men, remember, it will be dangerous to show it.¹³

Settled in Doctor Phelps' home and receiving board from a nearby Negro family, McGill began a six weeks' course in physiology. His mentor found him studious and eager to learn. He was accepted in the local community with an unusual degree of respect and attention.¹⁴ Receiving several cadavers and a set of dissecting instruments, McGill next undertook the study of anatomy. By mid-July, 1837, Doctor Phelps reported that the young man, under his direction just five months, had exceeded what most medical students complete in six.¹⁵ McGill himself gave a glowing account of his progress. Having witnessed three or four operations, he announced his fondness for surgery and his willingness to undertake the amputation of an arm or leg without hesitancy.¹⁶

¹¹ *Ibid.*, Vol. VI, Edward E. Phelps to Easter, Windsor, Vermont, January 9, 1837.

¹² *Ibid.*, Woodward to Thomas Edwards, Baltimore, January 31, 1837.

¹³ *Ibid.*, Easter to McGill, Baltimore, January 17, 1837.

¹⁴ *Ibid.*, Phelps to John H. B. Latrobe, Windsor, Vermont, February 27, 1837.

¹⁵ *Ibid.*, Vol. VII, Phelps to Easter, Windsor, Vermont, July 17, 1837.

¹⁶ *Ibid.*, McGill to Easter, Windsor, Vermont, July 17, 1837.



Maryland in Liberia, an oil painting by John H. B. Latrobe (1803-1891). Maryland Historical Society

Private instruction under Doctor Phelps ceased at this time, for he severed his ties with the University of Vermont and turned to private practice. He continued his interest in McGill, providing lodging between subsequent lecture terms and giving him counsel. He arranged for the young man's enrollment at the Dartmouth College Medical Department where a fourteen-week course of lectures began each August. Attendance at only two terms was required for graduation. Moving to Hanover, McGill was taken under the especial care of Doctor Reuben Dimond Mussey, professor of anatomy and surgery. McGill was introduced to inquiring classmates as a native African, thereby being accorded the respect shown foreigners rather than the suspicion allotted black Americans.¹⁷

Thrown together with other students, McGill soon compared his preparation with theirs and judged himself terribly deficient in many respects. Determining to study harder than before, he aimed to catch them in the next year. A particular

¹⁷ *Ibid.*, McGill to Easter, Hanover, New Hampshire, August 17, 1837.

goal was to gain a rudimentary knowledge of Latin, then a prerequisite for graduation.¹⁸ He purchased a Latin text and undertook self-instruction.¹⁹ As he himself later confessed, he learned barely enough to render darkness visible. In other areas, however, he made astonishing progress. Returning to Doctor Phelps' home in Windsor upon completing his first term at Dartmouth, McGill spent the winter and following spring diligently studying twenty medical volumes donated by Baltimore physicians and dissecting the subjects conveyed in barrels to him from Baltimore.

At the beginning of his second and final term at Dartmouth, McGill underwent examination. Winning certificates of study for two years and nine months, he was ranked with the senior class. He found himself working day and night to keep up.²⁰ With graduation imminent, the next question centered on whether McGill should receive some clinical experience or return immediately to Liberia. Dartmouth provided no bedside observation and McGill complained that he was much like an individual who had acquired the principles of navigation on terra firma. Writing the Colonization Society that he was not ready to take charge of their colonists' lives, he asked that he be allowed some clinical experience in Baltimore before sailing. Even though lives might be sacrificed, he wrote, it made little difference were his work done with dedication. Perhaps already revealing abolitionist influence, he commented that to hurry the departure of some Baltimore blacks out of this world would not be so great a crime, for, if prepared, it would prove a blessing and if unprepared, their circumstances could not be made much worse.²¹

The Society declined to let McGill stay longer in this country. Fearing that attractions here or conversion to abolitionism might result in his refusal to return to Cape Palmas, it sent Doctor McGill to the colony aboard the *Oberon* on November 22, 1838. Accompanying him was the newly-appointed colonial physician, Doctor Robert MacDowall, under whom McGill was to be apprenticed for a year. It is interesting to note that com-

¹⁸ Norwood, *Medical Education*, pp. 189-190.

¹⁹ M.S.C.S. Papers, Letters, Vol. VII, McGill to Easter, Windsor, Vermont, November 13, 1837.

²⁰ *Ibid.*, Vol. IX, McGill to Easter, Hanover, New Hampshire, August 11, 1838.

²¹ *Ibid.*, McGill to Easter, Hanover, New Hampshire, October 16, 1838.

pensation for Doctor MacDowall, a white American, was \$1,000 whereas it was to be \$250 per annum for Doctor McGill if he remained single, \$400 if married.²²

To the Society's satisfaction, their hopes for a permanent physician were fulfilled. Doctor McGill replaced Doctor MacDowall as the colonial physician in 1840 and served throughout that decade. Semi-annually he supplied his employers with statistics and observations regarding the health of colonists and neighboring Africans. He trained several young settlers in the medical arts and gradually turned responsibilities over to them as he developed a lucrative mercantile business along the west African coast. In 1848, McGill was appointed assistant agent of the Maryland colony and, upon Governor John Brown Russwurm's death in 1851, served for a time in his capacity. Later he moved with his family to Monrovia. The Colonization Society's investment proved wise, for Samuel Ford McGill's contribution to Maryland in Liberia was unequaled except by that of Russwurm himself.

²² *Ibid.*, *Latrobe Letter Books*, Vol. II, Latrobe to McGill, Baltimore, November 10, 1838; Latrobe to Doctor Robert MacDowall, Baltimore, November 10, 1838.

CHESAPEAKE SAILMAKING

BY MARION V. BREWINGTON

SAILMAKING must have made a start almost simultaneously with the arrival of the first white settlers in Virginia but unlike boatbuilding, no record of the beginnings seems to have been preserved. In fact the first mention of the trade seems to have been the amateur job done when Captain John Smith's boat crew, then exploring the Chesapeake, repaired a sail ripped in a gust with a piece of shirt.¹ The sail itself (and the shirt) had undoubtedly come out from England. But soon after the settlement at Jamestown was established, there must have been a local demand for sails because the colonists "built boate of all sorte, vizt Barges Pinaces Frigatts Hoyes shallops and the like,"² most of which certainly required sails. When the prospective Maryland colonists set out for their new home, they were urged to bring with them "necessaries for a boate" including "canvis for a sayle."³ However, no sailmaker is mentioned in their number, and it is likely that he who built a boat must have cut his cloth himself. At least that appears to have been the case with William Clayborne who in 1634 bought "25 yards of cavis for the boates Sayle of Mr. Howe 2.00.00;" in the following year "14 yards of canvis of Mr. Alline for the shallop saile 1.08.00;" and two years after that "16 ells of canvis for the Cockatrice Sailes 1.12.00."⁴ Or if a boatbuilder or boatowner did not feel competent to make a respectable sail, like John Rablie, one of Maryland's first pilots, he might acquire "a new Saile for his Shallop" from England or Holland.⁵ As late as 1697 such a course was necessary since Governor Andros of Virginia reported that while eight ships, eleven brigantines, and

¹ John Smith, *Generall Historie of Virginia* . . . (London, 1624- MacLehose edition, Glasgow, 1907), I, p. 117.

² Susan Myra Kingsburg, ed., *Records of Virginia Company of London* (Washington, 1906-35), IV, p. 144.

³ Clayton Colman Hall, ed., *Narratives of Early Maryland, 1633-1648* (New York, 1910), p. 98.

⁴ "Commission Book, 82," *Md. Hist. Mag.*, XXVII (March, 1932), p. 30.

⁵ William H. Browne, et al., ed., *Archives of Maryland* (70 vols., Baltimore, 1883-present), IV, pp. 303 and 307.

fifteen sloops had been built locally, the rigging and sails "were brought from England."⁶

However acquired, for many decades sails were scarce and valuable articles in the Chesapeake Bay country. The will of William Cox, proved in 1647, gives evidence of that. While he instructed his executor to sell his vessels, he specifically reserved the sails for his heirs.⁷ And again when Henry Brooke was asked to appraise Nicholas Cawsin's shallop, he readily fixed the value of the hull at 1,000 pounds of tobacco, but he was unable to put a valuation on the sails and rigging.⁸ Even in Great Britain the purchase of a suit of sails during the seventeenth century was no easy matter. The British Isles were not self-sufficient in the production of sail cloth, and when one of the principal sources of supply, France, prohibited exports in 1664, the pinch was severe. It was particularly felt in those years when Britain was at war with the other main cloth source, Holland. But the French embargo and the Dutch Wars soon had the effect of stimulating home production. Duties were imposed on foreign goods, and about 1696 to further foster the infant industry the Crown began to pay a bounty of 2d. per yard for cloth manufactured at home equal in quality to goods imported from abroad.

Both Maryland and Virginia made numerous attempts between 1656 and 1731 to induce their colonists to plant flax and hemp and to encourage the weaving of linen cloth. None of them were really successful, and the local scarcity prevailed until well into the eighteenth century.⁹ So much so that at one time the governor of Maryland found that although vessels were badly needed, the inability of the colonists "to procure Sailes . . . Totally disabled them for the attempt to build watercraft."¹⁰

Sailmakers there were in both colonies, but seemingly they were all either slaves or indentured servants working for shipbuilders. The first was an indentured servant who in 1737

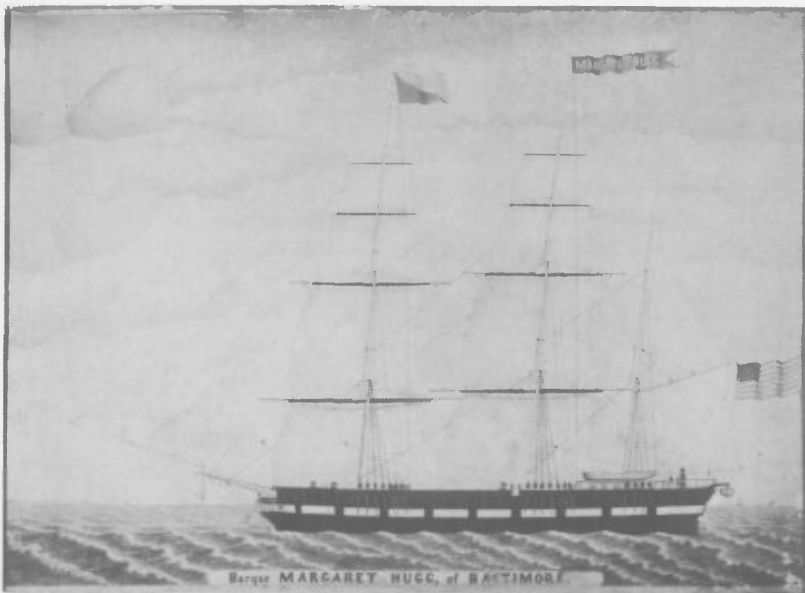
⁶ *Calendar of State Papers, Colonial Series, America and West Indies*, 15 May, 1696-31 October, 1697 (London, 1904), July 1, 1697, pp. 528-530.

⁷ *Archives of Maryland*, IV, p. 338.

⁸ *Ibid.*, IV, p. 301.

⁹ William Walker Hening, ed., *Statutes . . . of Virginia* (Richmond, 1819-23), I, pp. 218, 469-470; II, pp. 238-239; Elihu S. Riley, *History of General Assembly of Maryland* (Baltimore, 1905), pp. 49, 64, 80, and 179.

¹⁰ *Archives of Maryland*, VIII, p. 236.



The barque *Margaret Hugg* was built in Baltimore in 1840 and the watercolor was painted that same year by C. S. Bruff. Maryland Historical Society

“ran” from his master. As late as 1773 an advertisement appeared in the *Virginia Gazette*:

Just arrived the Success’ Increase, Captain Curtis, with about eighty choice healthy servants, among whom are many Tradesmen, viz . . . A Sailmaker . . . The Sale will commence at Leeds Town on Monday 3^d of January and continue till all are sold. Reasonable credit will be allowed on giving bond with approved Security . . . N. B. Tobacco will be taken in payment.¹¹

In 1776 Thomas Smyth, writing to the Council of Safety from his shipyard at Chestertown, stated that he had “two or three men in my service that have been used to making Sables.”¹² One slave sailmaker was mentioned in an advertisement, “a negro who is a good seaman and sailmaker”—at the same time the owner offered “a large warehouse . . . shedded with a good sail loft” in Gloucester, Virginia.¹³

¹¹ *Virginia Gazette* (Norfolk), Dec. 23, 1773.

¹² *Archives of Maryland*, XII, pp. 21 and 32.

¹³ *Virginia Gazette*, Aug. 25, 1768 and May 1, 1769.

The first free professional sailmaker of any prominence around the Chesapeake seems to have been one Samuel Osband who advertised his services in the *Maryland Gazette* of June 6, 1750. He may have had the field all to himself, for two years passed before any recorded competitor appeared. Osband's first rival was William Bicknell who gave public "Notice to any Gentleman who wants any Sails made, either for Ships, Snows, Brigs, Schooners, or Sloops that they may depend of having good work done by him as Cheap and as well fitted as any brought from Europe."¹⁴ Both of these tradesmen practised at Annapolis, then the most important port on the Bay. If other freemen were engaged in the trade at Baltimore, Norfolk, or on the Eastern Shore, no records of their existence have been preserved.

However, it is very likely other men were making sails professionally. First, the volume of shipbuilding, particularly for the Bay and coasting trades, was quite sufficient to provide ample work for more than two establishments, even if all the sails for the European trading vessels were brought from England ready made. A second reason is related to two Acts of Parliament. The earliest of these (1736-37) required: "Every vessel built . . . in any of his majesty's plantations in America, shall, upon her first setting out to sea, have . . . one full and complete set of sails made up of sail-cloth manufactured in Great Britain."¹⁵ The other Act (1746) provided that if a vessel bought sails in foreign countries, upon entering one of his majesty's ports they must be declared as merchandise, and a duty of £45 per £100 value paid thereon.¹⁶ Of course adequate fines and confiscations were set up as penalties. To make the proper identification of the cloth certain, an indelible red stamp eight inches in diameter was placed on each bolt of foreign cloth by the customs inspector, or if the cloth was a domestic product, it was stamped by the manufacturer. In addition, the sailmaker was required to place a black eight inch stamp on every new sail giving his "name and abode."¹⁷

¹⁴ *Maryland Gazette* (Annapolis), June 21, 1753.

¹⁵ 9 Geo. II c. 37.

¹⁶ 19 Geo. II c. 27.

¹⁷ *Ibid.* The stamping or stencilling of cloth and sails dates back to the Act of 9 George II mentioned above, but sizes and colors were not stipulated until the second act. Although not required by law, the use of these "trade marks" still continues.

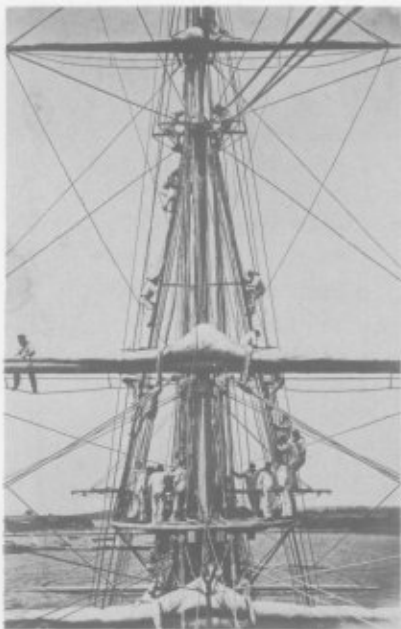
But what with the duty on imported cloth and the scarcity and high price of English made goods, there must have been those who gladly purchased Dutch or French cloth in the West Indies, and who smuggled it in and counterfeited the red stamps. Regardless of origin, all cloth was grain for the sailmaker's mill, and Messrs. Osband, Bicknell and their fellow artisans must have prospered with a new vessel production of at least eighteen seagoing craft annually between 1745 and 1771.

Within two decades after Bicknell's advertisement appeared, Baltimore had passed Annapolis both as a port and as a ship-building point, and the more progressive maritime tradesmen were gravitating towards the center of business. William Johnson was an example: in 1775 he moved his business "with sufficient workmen" to Fell's Point and "took a convenient loft . . . over Capt. William M'Gachin's Store."¹⁸ The same situation appears to have been true of Norfolk: there two sailmakers, James Gay and Talbot Thompson, were at work, but none can be traced in Mathews County or the Eastern Shore of Virginia.¹⁹

Johnson changed his location at what should have been an especially opportune time—a year later the colonies were at war with Great Britain. Hostilities closed the source of ready-made sails in England and of course freed sail cloth of heavy duties. At the same time war created a huge demand for sails. The Continental frigate *Virginia* was under construction at George Wells' shipyard, and the harbor was soon full of vessels fitting out as letters-of-marque and as privateers. Facing the largest navy in the world, all of these vessels were in what was at best a risky business, and they could take no chances with worn or bad sails. As a consequence, the Baltimore sailmakers should have been busier than they had ever been before, had there been any cloth to make up. But the supplies on hand dwindled rapidly. Despite the foresight of the Council of Safety which sent order after order to its agent in Martinique and St. Eustatia, when sail duck did get home, it was taken over by the Continental Marine Committee for its vessels, or else it

¹⁸ *Maryland Gazette*, Jan. 30, 1775.

¹⁹ Thomas J. Wertenbaker, *Norfolk Historic Southern Port* (Durham, N.C., 1931), p. 46.



Midshipmen, U. S. Naval Academy, furling sails on the frigate *Constellation*, when used as a training ship, c. 1892. Maryland Historical Society

was requisitioned for Army tents.²⁰ Of course the vessels suffered,²¹ but the sailmakers did not: they simply changed their product from sails to tents.²²

From the beginning of the Revolution to the end of the period, the best known sailmaker in Baltimore was William Jacobs. At the other end of the Bay, Nathaniel Cooper of Norfolk was the leader. Both of these men did the work for the Quasi-War Navy, making the sails for the frigates *Constellation* and *L'Insurgeant*, the brig *Norfolk*, the schooner *Enterprize*, and many other men-of-war. In addition, there were seven other firms operating in Norfolk in 1801, while in Baltimore there were twelve. When Jefferson's embargo was proclaimed, the number of firms in Norfolk declined by 38 percent the first year.

Even following the Revolution practically all sail cloth was

²⁰ *Archives of Maryland*, XI, pp. 98, 266, 274, and 290; XII, pp. 268, 509, and 543.

²¹ *Ibid.*, XI, p. 306; XII, p. 305.

²² *Ibid.*, XII, pp. 21, 47, 174-175, and 176.

imported from England, Holland, Russia or France. For instance, on June 21, 1798 the United States government purchased "275 pieces of West Country canvas" for use on the frigates. But within two years the Navy was contracting with Levi Shepherd and Son of Massachusetts for 500 pieces of cloth 37 yards long, 24 inches wide and 33 pounds weight, "warp and filling to be wholly of good hackled flax and no part thereof of tow. . . ." The specifications were almost exactly as those laid down by the Royal Navy for its sail cloth. The cloth of course was linen; cotton duck had not yet been produced cheaply in the United States. But by 1810 a company at Ellicotts Mills, Maryland, was making coarse cotton cloth on a large scale, and fifteen years later real sail duck was being turned out by mills at Baltimore.²³ Between 1839 and 1850 the Mt. Vernon, including the famous "Clipper Mill," and the Woodberry Mills were built specifically to weave sail duck. At one time these mills produced more than half the entire sail cloth of the United States.

In 1850 the census found twenty-four firms in Baltimore employing 112 hands. A decade later due to the depression of the late 1850's only seven firms with forty-six hands were in the business. During the Civil War the sailmakers had all the business that they could handle, not only making sails for the navy, but also making tents.²⁴ Following the War, the rise of the oyster business caused the greatest boom in sailmaking the Bay has seen. By 1882, two Baltimore firms were operating two lofts each. In addition, there were eighteen firms with at least one loft apiece.²⁵ With the decline in oyster dredging and consequently in vessel production, the demand for sails has dropped, and today there are not more than a half dozen sailmakers in the whole Bay country, with the majority of them scattered along the Eastern Shore.

Until the advent of the cheap heavy duty sewing machine, introduced about 1890, sailmaking was conducted much in the same manner in which Bicknell had run his loft. Using tools²⁶ no different in design or number from those of the eighteenth

²³ U.S. 8th Census, *Manufactures of United States*, 1, pp. xvii, and xviii.

²⁴ Loane Sail Books, MSS, Md. Hist. Soc.

²⁵ *Industries of Maryland* (New York, 1882), pp. 363-368.

²⁶ M. V. Brewington, "The Sailmaker's Gear," *The American Neptune*, 1X (Oct., 1949), pp. 278ff.

century sailmaker, one or more men did all the work by hand, and many a sailmaker like John R. Mitchell who retired in 1923 never had a machine in his loft. Each master sailmaker got his business by close contact and friendship with skippers, shipbrokers and owners just as his predecessors had done, without recourse to the methods of modern business. Labor was recruited either by apprenticeship or by immigration with the former the more important source.²⁷ After the sewing machine became a regular part of sailmaker's equipment, women frequently were employed in sewing up seams, while men did the more skilled and heavier work of cutting, roping and finishing, all of which continues to be hand work.

Only scattered evidence of what sailmakers were paid in the seventeenth, eighteenth, and early nineteenth centuries has been found, but it could not have been a very munificent amount. In 1776 William Jacobs, a master, was paid ten shillings a day for repair work on the Maryland State Navy ship *Defense*.²⁸ A master sailmaker who owned his own business charged \$2.25 a day in 1855. As late as 1915, only thirty-seven cents an hour or \$3.35 a day was the price of his services, and men working in a loft with no share in the profits were paid from \$12.00 to \$18.00 a week at about the same time. About 1885 when George M. Gardner was first learning the trade, apprentices were paid \$2.50 a week for the first year, \$3.00 in the second, \$4.00 during the third, \$5.00 for the fourth, and \$6.00 during the last year. The apprentice system was still in use in 1904. As journeymen then, the pay was \$3.00 per day for a nine hour day. By 1917 a day's work was worth \$5.00, by 1923, \$6.25, and by 1945, \$9.90. The more ambitious, after a few years as journeymen, set up in business for themselves; many of them moved to localities on the Bay where no local sailmakers were established.

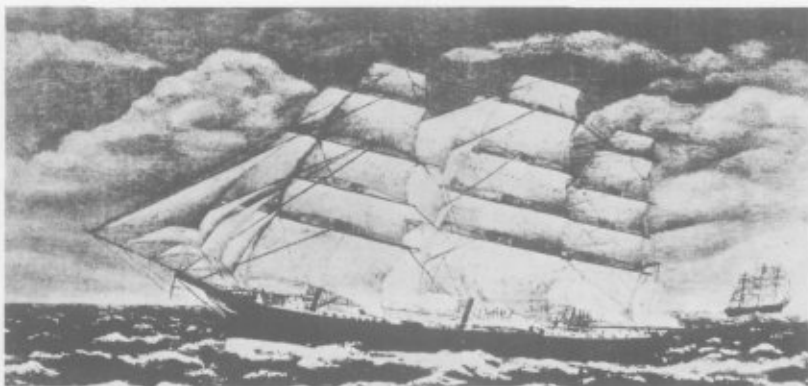
Around the Bay the manner of estimating the cost of sail-making varied but little down to within recent years. Itemized bills were rendered to the customer, and a charge was made for the number of bolts of cloth sewed. For instance, when Captain Noah Laws ordered "Zach" Mitchell to make a new set of

²⁷ The census of 1900 shows that of the 127 sailmakers in Baltimore ninety-five were native born of native parents.

²⁸ Scharf Papers, Box 58, MS. 1999, Md. Hist. Soc.

lowers for the schooner *John Henry* in October 1855, the bill ran:

To 481 yds No 3 Dk Woodberry at	.25	120.25
" 55 lbs Manella Rope	.16	8.80
" 3-1/2 lbs Rusia Rope	.23	.80
" 20 " pint (point) Line	.16	3.20
" 8 doz pints & footstops	.50	4.00
" 39 Thimbles	.15	5.85
" 2 Ring Clues	.50	1.00
" 13 Bolts Dk. worked	2.75	35.75
" 3 Sails fitted	1.00	3.00
" 6-1/2 lbs wax & twine	.40	2.60
		<hr/> \$185.25



The clipper ship *Mary Whitridge* was built in Baltimore in 1855. Merchants Club

If repairs were made, materials plus time were the basis of cost. This has remained so to the present day. But now, new sails are figured on a cost basis of cloth only with a mark up to take care of the other materials. For example, for making a sail of number three duck, if the cloth costs X cents per yard, he adds to that .35 per yard, multiplies by the number of yards in the sail and gives the skipper a price for the finished sail. With work boats it is quite customary for the sailmaker to buy the worn out sail from the skipper, the price being on a basis of a few cents per pound with cloth, bolt rope and thimbles included in the weight. From the secondhand sails, covers and cheap tarpaulins are made.

Of course, sails and their appurtenances were not the only goods turned out by sailmakers. Covers for wagons, trucks and hay stacks, awnings for porches and store windows, tents, cots, aprons, hammocks, bags and even shrouds passed through the sailmakers' lofts. Another product was sails for windmills.²⁹ As sailmaking declined, the other products gained in volume until today firms, which were turning out complete suits for Baltimore coffee clippers, fruit brigs and hundreds of Bay craft, have not made a sail for years. But even so, they still call themselves sailmakers.

Almost all of the Chesapeake Bay firms still devoting most of their time to sailmaking can point to nearly a century of tradition. Albert E. Brown and Bro. of Wenona spread cloth today on the same floor that their father Henry Brown used. He in turn had worked for and then succeeded James Stubbs who had organized the business during the Civil War. William L. Godfrey is the direct successor to John P. Mitchell who first put on the palm in 1862. Loane Brothers represent the fourth generation of their family in a business which had its inception in 1840, and the Hurst's of Norfolk were listed in the 1856 directory of that city as sailmakers.

Many sailmakers seem to have specialized in making sails for particular types of craft. Not that anyone was incompetent to cut any sail and each one did, but apparently a certain skill developed which led skippers to prefer the work of a particular man for a particular type of sail. Thus Scott Keatly of St. Michaels worked almost exclusively on work canoe sails. David Pritchard of Oxford cut the cloth for most of the racing canoes. John R. Mitchell's and William L. Godfrey's sail plans and measurement books show a far greater proportion of work for "square" sails than for "sharp" sails, while Albert Brown's records show just the opposite.

Of the sails used in the Bay region only one appears to be a pure local design—the stick up jib. But the so-called Bermuda sail has been developed more highly here than elsewhere, and one variation, the goosewing, might almost be classified as a local design.

Because of legal restrictions on the use of mechanical power, sail has been preserved longer in the area than anywhere else

²⁹ Frances Norton Mason, ed., *John Norton & Sons* (Richmond, 1937), p. 24.

in the United States. No part of the Bay country was at any time isolated from the rest of the maritime world, and local sailmakers have consistently kept abreast or if not devised the most efficient developments in work sails. The tall narrow sail plan, generally conceded to be the most efficient use of a given area of cloth, developed early on all types from pungy and pilot boat to canoe and skiff. The ketch rig so much favored today on yachts for its ease of handling disappeared elsewhere by 1850, but in the bugeye, two types of sailing canoes, and the three sail batteaux it reached its most widespread usage. The sharp headed sail, long familiar in Bermuda waters, flourished on the Chesapeake. Similarly when new devices came into being, they were quickly adopted or adapted if they could add to the efficient operation of the sails. For instance, although gaff topsails were widely used on Bay vessels by 1775, no ultra conservative "good enough for grandpa good enough for me" attitude kept the Baymen from soon adapting and quickly improving upon the "patent" type after W. H. Dare invented it about 1877.³⁰ Again sail track and slides were nothing new when their production was commenced by manufacturers of marine hardware. To be sure, those on Baycraft were handmade by local carpenters and blacksmiths of wood and wrought iron, but they worked with no more sticking and jamming than their modern stainless steel counterparts.

³⁰ United States Patent 190, 831.

QUAKER OPPOSITION TO THE ESTABLISHMENT OF A STATE CHURCH IN MARYLAND

BY KENNETH L. CARROLL

I

FOR TWO generations following its founding as a colony, Maryland had no Established Church. Although Lord Baltimore was a Roman Catholic, as were a number of those first settlers who arrived in 1634 on the *Ark* and the *Dove*, most of the colonists from the beginning belonged to the somewhat fragmented Protestant wing of the Christian Church. No single State Church was even seriously thought of, let alone set up, as the colony was begun.

In 1649 Maryland adopted its famous Act of Toleration—providing for the exercise of any Trinitarian Christian religion.¹ This law stemmed in part from the position of religion in the first fifteen years of the colony's existence. Its passage, however, was also greatly influenced by the political and religious developments taking place in England in the middle of the seventeenth century, as the Cromwellian period brought about a temporary triumph of the Puritans over the Church of England. Some feeling of a threat to Lord Baltimore's position and to Maryland's Charter would seem to have given added impetus to those forces and figures which produced the 1649 Act. Also, Maryland Roman Catholics and Anglicans were protecting themselves from possible future Puritan domination and persecution by passing such an act.

Quite probably some Puritans were already in Maryland before the Religious Toleration Act was passed in 1649. In the following year Lord Baltimore, seeking to increase the popula-

¹ Concerning the 1649 Act of Toleration, see John Leeds Bozman, *The History of Maryland, From Its First Settlement, in 1633, to the Restoration, in 1660* (Baltimore, 1837), II, pp. 350-356; C. Ernest Smith, *Religion Under the Barons of Baltimore* (Baltimore, 1899), pp. 310-314; Hester Dorsey Richardson, *Side-Lights on Maryland History* (Baltimore, 1913), I, pp. 102-105.

tion of his young colony, opened the borders to those Puritans who were undergoing great suffering in Virginia. Large numbers of Virginia Puritans came into Maryland in 1650 and settled in the neighborhood of New Providence [now Annapolis] in Anne Arundel. By 1654 the strength of this group had so increased that there was a Puritan seizure of power in Maryland. For four years Maryland was ruled by those Puritans who, only a few years previously, had been granted political and religious asylum.

In the midst of this Puritan period of rule, Quakerism made its way to Maryland. Having first appeared in England in 1652,² the Quaker movement spread rapidly—reaching out to continental Europe in 1654, the West Indies in 1655, and Maryland and New England in 1656. Elizabeth Harris arrived in Maryland late in 1655 or early in 1656 with her Quaker message, thus becoming—in all probability—the “founder” or “mother” of American Quakerism.³ In a very short time she gathered a large number of converts among the Puritans along the Severn and Patuxent rivers on the Western Shore and among the inhabitants of Kent Island.⁴ Among Elizabeth Harris’ more important convincements were found William Fuller (the Puritan “governor” of the colony), William Durand (Secretary of State), and probably Richard Preston and Samuel Chew. Also included in this number should be Charles Bayly, who later became the first governor of the Hudson’s Bay Company.⁵

Quakerism, which to some degree arose out of Puritanism (and which has been said by some writers to be an extreme form of Puritanism), arrived in Maryland at an opportune time. Maryland Puritan leaders of 1656, 1657, and early 1658 embraced it, so that there was no persecution of Elizabeth Harris and her converts—a situation quite different from that which Quakers experienced in New England starting in 1656. Quakers

² The birth of Quakerism is usually dated from George Fox’s 1652 experiences at Pendle Hill and Firbank Fell.

³ Kenneth L. Carroll, “Elizabeth Harris, the Founder of American Quakerism,” *Quaker History*, LVII (1968), pp. 96-111.

⁴ Kenneth L. Carroll, “Maryland Quakers in the Seventeenth Century,” *Md. Hist. Mag.*, XLVII (Dec., 1952), pp. 297-299; J. Reaney Kelly, *Quakers in the Founding of Anne Arundel County, Maryland* (Baltimore, 1963), pp. 10-28.

⁵ Kenneth L. Carroll, “From Bond-Slave to Governor: The Strange Career of Charles Bayly (1632?-1680),” *The Journal of the Friends Historical Society*, LII (1968), pp. 19-38.



Charles Calvert (1699-1751), Fifth Lord Baltimore (1715-1751). Maryland Historical Society

at their earliest appearance in Maryland were welcomed, and Quakerism was not only tolerated by government officials but was also warmly embraced by some of them!

As one thinks of this brief period of peace and acceptance that marked Quaker beginnings in Maryland in 1656 and 1657, he is reminded of the early acceptance of the Hebrews in Egypt—as Joseph and his people were welcomed by the related

Semitic Hyksos rulers who had conquered Egypt. Just as "there arose a king who knew not Joseph" [a somewhat vague phrase that reflects the radical change that came with the later Egyptian overthrow of Hyksos domination], so there soon came a period of intense persecution and suffering upon Maryland Quakers in 1658-1661.⁶ With the return of the reins of government to Lord Baltimore's party, the Quaker-Puritan leaders such as Durand, Preston, and Fuller were no longer in a position to protect their fellow Quakers or themselves. The new leaders of 1658 unleashed a brief but severe attack upon the Quaker movement. They were motivated, it would seem, by several factors: (1) a feeling that Quaker emphasis on equality, pacifism, and rejection of oaths would undermine the government, (2) an antagonism to Quakerism itself, and (3) a desire to record their own opposition to the political developments of 1654-1658 and their loyalty to the Proprietor's cause. These last two factors appear to be especially true of the Puritan Edward Lloyd who, along with Nathaniel Utie [Uty], seems to have been particularly cruel.⁷

The short but intense persecution starting in the summer of 1658 brought untold suffering to Maryland Friends. Although the fullest account we now possess records that "*these are not all of the Sufferings by much which these poor people have undergone,*"⁸ it does record the cases of nearly forty-five Quakers who were fined for refusing to bear arms, for rejecting oaths, or for entertaining Quakers in their homes. A number of Maryland Friends, including Edward Coppedge and John Holyday, were cruelly whipped. Richard Keen "was abused by the Sheriff, who drew his cutlas and therewith made a pass at the Breast of the said Richard, and struck him on the Shoulders, saying *You Dog, I could find it in my heart to split your Brains.* This Sheriff's Name was Coarsey."⁹ The worst treatment of all was received by Thomas Thurston (1622-1693), one of the "First Publishers of Truth" in England, New England, Virginia, and Maryland. Thurston, who later settled in Maryland, experienced much harsh treatment in 1658 and 1659:

⁶ Kenneth L. Carroll, "Persecution of Quakers in Early Maryland (1658-1661)," *Quaker History*, LIII (1964), pp. 67-80.

⁷ *Ibid.*, pp. 75-77.

⁸ Francis Howgill, *The Deceiver of the Nations Discovered and His Cruelty Made Manifest* (London, 1660), p. 24. Italics added.

⁹ *Ibid.*, pp. 20-24.

imprisonment, being dragged down steps, whippings, banishment, and threats of death (from Nathaniel Utie).¹⁰

The heaviest period of suffering was in 1658 and 1659. By 1660 it was apparent that some of the fire of persecution was beginning to die down. Although individual Maryland Quakers continued to suffer from time to time because of their religious scruples against swearing and bearing arms, their suffering after 1661 was mild compared to that experienced in the short span of time from 1658 to 1660. After 1661 authorities frequently looked the other way, rather than seeking out Quakers as Edward Lloyd, Nathaniel Utie, John Norwood, and others had done. This change of treatment came about for several reasons: (1) a growing recognition that Quakers offered no real threat to the government of the Colony, (2) a continuing conviction of *influential* colonists to Quakerism, (3) the early withdrawal of Edward Lloyd to Talbot County and then to England, and (4) a more complete restoration of the government to Lord Baltimore, who was somewhat kindly disposed to the suffering Quakers, for Baltimore remembered the sufferings of his own fellow Catholics.

A radical change in the official attitude of colonial officials became apparent by late 1661, when Maryland *encouraged* Quakers to flee from Virginia (where they were undergoing great suffering) and settle in Maryland.¹¹ Many Quakers on the Eastern Shore of Virginia were invited to move into the Annesmessex-Manokin area. The Maryland Proprietor and his governor hoped to populate that part of the Eastern Shore below the Choptank River and particularly that section which was about to be set up as Somerset County. In response to a petition from "divers persons from Northampton," Governor Calvert issued a proclamation opening for settlement lands on the Eastern Shore just above the Maryland-Virginia border. Within a very short time large numbers of Virginia Quakers settled in that section along the Great Annemessex River.¹² Other Vir-

¹⁰ Kenneth L. Carroll, "Thomas Thurston, Renegade Maryland Quaker," *Md. Hist. Mag.*, LXII (June, 1967), pp. 170-192. See especially pp. 174-183.

¹¹ Kenneth L. Carroll, "Quakerism on the Eastern Shore of Virginia," *The Virginia Magazine of History and Biography*, LXXIV (1966), pp. 170-189, especially pp. 172-175.

¹² Clayton Torrence, *Old Somerset on the Eastern Shore of Maryland* (Richmond, 1935), pp. 86-87, 386-387; Susan M. Ames, *Studies of the Virginia Eastern Shore in the Seventeenth Century* (Richmond, 1940), pp. 233-234.



The Third Haven Friends Meeting House, Easton, Talbot County, Maryland.
Historic American Buildings Survey

ginia Quakers, from Lancaster and neighboring counties, fled to the shores of the Choptank River in Talbot County and of the Patapsco River in Baltimore County.¹³

Quaker settlements soon ringed the Chesapeake Bay: Annessex and Monie (Somerset); Bayside, Betty's Cove, Choptank, and Tuckahoe (Talbot); Kent Island and Chester River (in what is now Queen Anne's County); Patapsco (Baltimore); Severn, South River, West River (Anne Arundel); and Clifts (Calvert). The visits of John Burnyeat (in 1665 and 1672), George Fox (1672-1673), and William Edmondson (in 1672 and 1676) won an increasing attitude of respect toward Quakerism, produced large numbers of influential converts (many of whom were drawn from the families of early settlers), and strengthened the Society of Friends in Maryland by uniting and organizing the various individual Meetings into Maryland

¹³ Carroll, "Maryland Quakers in the Seventeenth Century," p. 303; William H. Browne, et al., ed., *Archives of Maryland* (70 vols.: Baltimore, 1883 to present), LIV, pp. xxi, xxiv.

Yearly Meeting in 1672. Not only had Quakers won greatly increased respect in their first twenty years of existence, but they had also become strong in numbers and organization by 1675. This strength in numbers can be seen particularly in Lord Baltimore's 1676 analysis of the religious state of his province: "the greatest part of the inhabitants of the Province (three of four at least) doe consist of Proesbiterians, Independents, Anabaptists, and Quakers, those of the Church of England as well as those of the Romish being the fewest."¹⁴

By the time that the move to establish a State Church got underway, Maryland Quakers were in a position to give real battle. United at home by organizational ties and closely connected with English Friends through visiting ministers and frequent correspondence, they were ready to fight for religious freedom. They were, apparently, about the only religious group in Maryland that was able or willing to make the fight. Maryland Catholics, now numbering less than one-twelfth of the population, were too weak and too hamstrung by political and religious developments to make an effort. Other groups do not seem to have risen to the occasion. In a sense, then, Maryland Quakers—while motivated primarily by their own religious scruples—fought the battle for religious freedom for all Marylanders as they opposed the establishment of the Anglican Church as the State Church in Maryland.

II

The attempt to establish the English Church in Maryland began early. John Yeo in 1676 sought the aid of the Archbishop of Canterbury:

There are in this province ten or twelve counties and in them at least twenty thousand souls and but three Protestant ministers of us that are conformable to the doctrine and discipline of the Church of England. . . . No care is taken or provision made for building up Christians in the Protestant religion, for want of which not only many daily fall away to Popery, Quakerism, or fanaticism, but also the Lord's day is profaned, religion despised,

¹⁴ George Petrie, *Church and State in Early Maryland* (Baltimore 1892), p. 43; Nelson Waite Rightmyer, *Maryland's Established Church* (Baltimore, 1956), p. 5; Cf. *Archives of Maryland*, V, pp. 132-133, 252-253, 261-263.

and all notorious vices committed so that it is become a Sodom of uncleanness and a pest house of iniquity.¹⁵

Yeo hoped that a tax would be levied for the maintenance of Church of England clergy. Quite probably he exaggerated the evils of the situation in order to strengthen his position. Although he did not succeed in his plan, Yeo was nonetheless instrumental in causing the English Church, through the Committee on Trade and Plantations, to interfere from time to time with the proprietary government. For the moment, however, Lord Baltimore was able to forestall any establishment of the English Church in Maryland—saying that it would be difficult to get the Lower House to agree to a law compelling so large a proportion of the population¹⁶ to support the clergy of another denomination.¹⁷

The so-called Glorious Revolution of 1688 in England was followed by the Protestant Revolution of 1689 in Maryland. Lord Baltimore, whose opposition had helped defeat Yeo's 1676 efforts, was overthrown, and Maryland was declared a Royal Colony. In March, 1692, a new Royal Governor, Sir Lionel Copley, arrived in Maryland, and the new government was inducted on May 10. In a rush to show their loyalty to the new Protestant rulers, William and Mary, and their allegiance to the "Protestant Cause," the Governor and the Colonial Assembly in 1692 passed an act to establish the Church of England as the State Church in Maryland. The Assembly which passed this act was heavily Anglican—for Roman Catholics were excluded and those Quakers who had been elected to it were ejected when they sought an affirmation instead of an oath (which they had been permitted to do earlier).¹⁸

The 1692 Act¹⁹ was placed upon the books, but never really

¹⁵ *Archives of Maryland*, V, pp. 130-131.

¹⁶ The three-quarters of the population who were Presbyterians, Anabaptists, Independents, and Quakers.

¹⁷ *Archives of Maryland*, V, pp. 132-133, 252-253, 261-263; Newton D. Mereness, *Maryland As a Proprietary Province* (New York, 1910), p. 436; Elizabeth H. Davidson, *The Establishment of the English Church in Continental American Colonies* (Durham, N.C., 1936), pp. 26-27.

¹⁸ Among those Quakers who were refused seating in the Lower House were John Edmondson of Talbot County, George Warner of Cecil County, and John Godden [Godwin] and Thomas Everden of Somerset. The Lower House agreed to seat them, but the Upper House (made up of the Governor and his Council) refused. *Archives of Maryland*, XIII, pp. 267-268.

¹⁹ Concerning the 1692 Act, see Rightmyer, *Maryland's Established Church*, pp. 20-22.

took effect—for the death of Governor Copley, the chief advocate of the law, prevented this development. With the arrival of Governor Francis Nicholson in 1694 the Act was quickly re-enacted by an Assembly from which Quakers once more were excluded.²⁰ Nicholson, known also for removing the capital to Annapolis from St. Mary's, was the main instrument by which the Established Church came into being.

Quaker opposition to the 1692 and 1694 Acts was both immediate and definite. From the beginning they fought the establishment *both by non-observance and petition*. On the 5th of the 11th Month, 1693 [O.S.], Eastern Shore Friends were advised, concerning the "forty pounds of tobacco per poll," that "no friend ought to pay it Either directly or indirectly or any other person for the use af[oresai]d it being antichristian so to do."²¹ In 1694 a paper was given forth from the Yearly Meeting at West River cautioning all Maryland Friends "to keep to their Antient Testimony and not to Concern [themselves] with fighting or takeing away mens Lives nor Contributing towards maintaining Idollatrous priests nor their houses of Worship."²²

Not only did Maryland Quakers show their opposition to the 1694 Act by refusing to pay the tax, but they also petitioned the Governor and Assembly in May, 1695, that they be freed from oaths and the "forty pounds tobacco per poll" for the support of Anglican priests and the erection of church buildings for them.²³ This appeal was rejected on May 17.²⁴

Having no success with the Governor in Annapolis, Maryland Friends appealed to their brethren in England to help them find relief from this "new Suffering for Priests Wages." On May 15, 1695, Maryland Friends wrote:

Friends of this Province are lately bro^t under a New Suffering by means of a Late Act made here to force us to pay for y^e maintenance of Priests and Building and Repairing their worship

²⁰ *Archives of Maryland*, XIX, pp. 35, 157, 163, 184. Richard Johns of Calvert and John Edmondson were once more excluded because of their scruples against taking an oath.

²¹ Minutes of Third Haven Monthly Meeting of Friends, I, p. 128. These records are now on deposit in the Hall of Records, Annapolis.

²² *Ibid.*, I, p. 130.

²³ Minutes of London Yearly Meeting, II (1694-1701), p. 130. These records are in Friends House Library, London.

²⁴ *Archives of Maryland*, XIX, pp. 55-56, 155, 185. Cf. Fulham Papers II, 128. The Fulham Papers are now located in the Library of Lambeth Palace, London.

Houses for w^{ch} many Friends have had their goods seized and taken away, and is likely to be much worse.

Our Yearly Meeting found themselves concerned to lay their grievances in divers cases before y^e Governor and his Councill and y^e Assembly but got no Redress, and as it was Signified to them, It seems hard y^t we must not Injoy y^e Ease and Liberty which our Friends of y^e neighboring Plantations Enjoy in Several Cases.²⁵

London Yearly Meeting Friends appealed to the King to annul the Acts of 1692 and 1694. This was done by the King in Council January 4, 1695/96, when he "Repealed & Declared [them] void & of none Effect."²⁶

Governor Nicholson and the Assembly rushed through still another Act of Establishment in July, 1696, almost as soon as possible after learning of the voiding of the 1692 and 1694 Acts.²⁷ A long letter from Nicholson to the Board of Trade accompanied a copy of this new Act. The Governor, in this cover letter, attempted to give a sketch of what religious life in Maryland had been before the "happy Revolution":

Whilst My Lord Baltimore resided in the Country all things were pretty quiet, but when his Lordship went away he left the government in the hands of the Councill, the principal of which were Papists, and they had generally the places of profit and Trust, and the Quakers were in the Assemblyes and other places of Government. As for the Church Governm^t it was in the hands of some Jesuits and Priests: the chief place of their residence was within two miles of St Mary's, where they have a good brick Chappell, and about 5 or 6 wooden ones in other places of the Country. Of priests, and Jesuits there is commonly six or seaven in the Countrey, and they have severall good plantations to live upon; but I suppose they have allowances from England and other places, and from the people of their perswasion in this Countrey. The Quakers are also dispersed all over the Countrey, but more numerous, and also have more places for their worship. There were seldom above 3 or 4 Clergymen of the Church of England that resided in the Countrey, and they had no certain maintenance, but only by voluntary contributions, by which way also

²⁵ Epistles Received, I, p. 227. These letters, received by London Yearly Meeting from Friends in Europe and America, are found in Friends House Library, London.

²⁶ Book of Cases, II, p. 35. These manuscript records are in Friends House Library, London. Cf. State Papers, [Colonial Office], C.O.5, item 724, pp. 211-212, Public Records Office, London.

²⁷ *Archives of Maryland*, XIX, pp. 393-397, 412, 414-417, 426-430.



Edward Lloyd (1779-1834), Congressman and Governor of Maryland. Maryland Historical Society

the places for publick worship of God, according to the Church of England, were built.²⁸

In addition to the 1696 Act of Establishment, the Governor also reported that there was a new Act for the Establishment of Free Schools. The purpose of the Free Schools, he wrote, was to convert Indians to Christianity and to put a stop to the Papists and Quakers and bring them over to "reformed Religion."²⁹

Maryland Friends opposed this new Act just as they had earlier ones. They refused to pay the "forty pounds per poll," so that they frequently suffered "Distrainments for priests wages." One such case, involving William Trew of Kent County, produced some interesting questions for Friends:

William Trew acquaints this meeting y^t he had a Servant taken by Execution (For y^e 40^l tobacco per poll to y^e priest) Last first month which Servant had about tenn months to serve and now y^e Servant has served his time with Charles Tildon y^e high Sheriff

²⁸ *Ibid.*, XXIII, p. 81.

²⁹ *Ibid.*, pp. 82-83.

of Kent County and now y^e Court had granted an Order against Wm. Trew for y^e Sd Servants freedom corn and cloaths and he desires the meeting to advise wheather he Should pay it or not. The meeting having Considered the matter gives it as their Sence that he ought not to pay it and therefore advises him not to pay it.³⁰

Not only did Maryland Quakers resist the tax at home, but they also sent four of their more influential members to England to lobby against this Act: Richard Johns, Samuel Galloway, Samuel Chew, and Nehemiah Birkhead.³¹ They brought with them a petition from Maryland Friends, asking that the 1696 Act be disallowed just as the 1692 and 1694 Acts had been.³² The London "Correspondents" for Maryland were asked to cooperate with the Maryland Quakers in their efforts to keep the 1696 Act from being approved in England.³³ Maryland Quakers at this time were said to include about fifteen hundred of the eleven thousand "Tythables" in the Province.³⁴

The growing number of Anglican clergy in Maryland, having been recruited as a result of the 1692, 1694, and 1696 Acts and dependent upon the "forty pounds of tobacco per poll,"³⁵ felt themselves threatened by Quaker opposition to the Established Church. In a May 14, 1698 letter to the Archbishop of Canterbury they wrote:

And we have late rec^d very certain advice from London, y^t those of our Quakers, y^t went to England in y^e last Maryland & Virginia fleets have petitioned the L^{ds} of the Committee of Trade & Forreign Plantations to have y^e 40^l p[er] pole taken off as a burden upon their Estates; and (as we Suppose they might pretend) upon their Consciences too.

Should they obtain their Petitions only for y^mselves, y^e Incomes of the best parishes in respect of Tobacco raised by the 40^l per pole would be so impaired, y^t there would not be left a tolerable subsistance for a Clergy Man & his Horse. And one Horse at

³⁰ Third Haven Minutes, I, p. 160. The distraint was in 1697, and the question was raised in 1698.

³¹ Minutes of Meeting for Sufferings (London Yearly Meeting), XI, pp. 275, 281; XII, p. 32. These manuscript records are found in Friends House Library, London.

³² *Ibid.*, XII, p. 3.

³³ *Ibid.*, XI, p. 275; XII, p. 134.

³⁴ State Papers, C.O.5, 714, #24 [Public Records Office, London].

³⁵ This tax was on every planter, his male children, his white servant men, and his male and female slaves above sixteen years of age.

least we must all of us of Necessity have ready by us not only to ride to Church or Sundays; but to ride all over our Parishes, to Xtnings, Weddings, Visiting the Sick, & burialls on week dayes; when or wherever we are sent for.

Could the Quakers clear themselves of the 40 £ per Poll, the Papists might all pretend to do so; because they have priests of their own to provide for. And could these partys Effect their Designs: y^e Clergy & Church of England, wou'd be left in a very naked & poor Condition here; besides y^t we may Expect many that have their Religion still to choose to turn either Papist or Quakers; & refuse to pay too. For many here look upon the Sacraments as needlesse Impositions; and go neither to y^e Papists Mass nor the Quakers Meeting; And Seldom or never come to Church.³⁶

After begging his Lordship to use his influence in behalf of the Established Church in Maryland, these eight Anglican ministers muddled the water a bit by throwing in political rumors also:

May it please y^r Lord^{sh}, as far removed as the Quakers & Papists seem to be in their Different Sentiment ab^t Religion; they are joyntly bent ag^t our Church; and dayly Endeavour to draw People to their parties, by Suggesting to y^m y^t the Lord Baltimore will govern here again; than which nothing can be more pleasing [to] these Libertines & loose persons who can seldom or never be gotten to Church at all; And should my Lord [Baltimore] Rule as formerly, the Insolence of the Romish priests (who are somewhat curb'd by his Exc^l'ys great care & Vigilance) would soon be Intolerable in these parts.³⁷

London Friends sent their Maryland colleagues a letter to be presented to the Governor of the Colony. Dated November 9, 1698, it was not received by Maryland Quakers until May 15, 1699. They appointed Thomas Everden, Mordicai Moore, Samuel Galloway, and Richard Johns to "attend the Governor" with this letter. Their meeting with the Governor was not very satisfactory it would seem, for—although they did address him on the "unreasonableness of that law Imposing 40£ of tob,

³⁶ Fulham Papers, II, p. 100. The letter is signed by Peregrine Cony, John Lillingston, Richard Sewell, Stephen Bordley, George Tubman, Hugh Jones, Thomas Cockshutt, and Benjamin Nobbs.

³⁷ *Ibid.*, II, p. 102. This portion of the letter is followed by raising a red herring concerning *Irish* priests (and the danger of their encouraging uprisings).



Brick Meeting House, Calvert, Cecil County, Maryland. Maryland Historical Society

per pole"—they felt nothing else could be done where the government in Annapolis was concerned.³⁸

Meeting with no success in Maryland, Quakers redoubled their efforts in England—finally bringing about the disallowance of the 1696 Act (which had been bolstered by a 1699 Act). The King in Council, on November 30, 1699, declared these Acts null and void.³⁹ The King's order, repealing these Acts, was sent immediately by London Friends to their Maryland colleagues by the first available ship. Maryland Quakers, therefore, were in receipt of the news and the documents long before the Governor and Council in Annapolis knew that the Acts had been disallowed! English Friends also advised them not to be slow "to use your endeavours with the governor and Members of the assembly to prevent the revival of it or any like it Since it

³⁸ Minutes of Meeting held at Richard Harrison's home 1699-1716, pp. 2-3. A microfilm copy of these Stony Run records is at the Hall of Records [M548].

³⁹ *Archives of Maryland*, XXIV, p. 5; Fulham Papers, II, p. 134.

had been so often disliked and rejected by the King and Government here."⁴⁰

Having received a copy of the King's 1699 voiding of the Act of Establishment, Maryland Friends left it with Samuel Chew, Richard Johns, Samuel Galloway, and Nehemiah Birkhead to present the copy to the Governor. They happened to meet him by chance on the road near South River and immediately presented the document to him.⁴¹ In addition to delivering the King's Repeal, they presented another letter from London Friends⁴² to Governor Blackiston (who replaced Nicholson). These same Friends were also entrusted with two other tasks. First, they were to see "that Care may be taken that the Sheriffs may be Caused to desist from executing any more of our friends goods by virtue of that act." Second, they were appointed to prevent any "like Imposeing law" from being passed.⁴³

Once again the powerfully entrenched Church of England minority forced another Act of Establishment through, as soon as the Assembly met in 1700.⁴⁴ Once again Maryland Friends turned to London for help and for relief. London Quakers on June 7, 1700 wrote,

We received y^{rs} with the Account how the Law was renewed and

⁴⁰ Epistles Sent, I (1683-1703), p. 349. These manuscript records are in Friends House Library, London.

⁴¹ *Archives of Maryland*, XXIV, p. 4-5.

⁴² *Book of Cases*, I, 47-48 records the following letter from the London Correspondents for Maryland:

London the 5th December 1699

Esteemed Friend—Coll: Blaikstone,

After our True Respect and Acknowledgem^t for thy favour and Moderation towards our friends in the Province of Maryland, Wee take leave to advise that the Law by w^{ch} our friends there have greatly suffered Relating to the ffourty pounds Tobacco per Pole upon the Inhabitants, which was twice made in Coll. Nicholsons Time (being contrary to y^e Settlem^t of that Province as we conceive) is now by the King and Councell Repealed, and the order of the Councill for the Repealing the same, We herewith send to our friends Rich^d Johns, Sam^l Chew, Nehemiah Birkhead, and Sam^l Galloway by them or some of them to be delivered to thee.

And our Ernest and humble Intreaty to thee is, thou wilt be pleased to discourage the making any Such Law which the King hath twice shewed his dislike of, by disallowing and Repealing the Same, We Rest

Thy true friends and well wishers
John Field
Theodor Eccleston
Edward Haistwell

⁴³ Minutes of Meetings held at Richard Harrison's house, p. 5.

⁴⁴ *Archives of Maryland*, XXIV, pp. 20, 37, 91-98.

have received the Copy and also have [used] and intend to use our Endeavour to get it repealed again and in order to [do] it have Lodged our petition with y^e Commissioners of Trade in order to be heard against it before they report it to the King and Councell. We there mett with a report as we had before that Friends there did behave themselves boastingly about y^e repeal which gave offence but [we] informed y^m we were satisfied it was a false report.⁴⁵

Later in the year, on November 8, London Yearly Meeting Friends advised their Maryland brethren, "As to y^e Affairs relating to y^e Law of 40^l Tobacco per Pole nothing hath been left wanting in Friends here to get it repealed and many Journeys have [been] and must be made about it."⁴⁶

Maryland Friends learned that the supporters of the Act of Establishment had their own lobby at work in London also. The Archbishop of Canterbury, the Bishop of London, and Dr. Thomas Bray had been meeting with the King's Attorney General to get copies of the Quaker documents opposing the 1700 Act. Dr. Bray, the Commissary General, had published one letter attacking Quakers. He also wrote another one in which he suggested that the establishment of the English Church was the only thing that had kept the Eastern Shore of Maryland from being totally lost to Quakerism. On April 11, 1700, he wrote: "About 4 yeares ago before a Clergy were sent over here, a Gentlemen assured me y^t on y^e Eastern Shoare y^e people were universally Disposed to turn Quakers, there being then scarcely any other Religious worship but Popery."⁴⁷ Now, in 1700, he believed that things were "at a stand[still]."

Governor Nehemiah Blakiston, flushed with success at having pushed his 1700 Act of Establishment through the Assembly, wrote to the Bishop of London:

⁴⁵ Epistles Sent, I, p. 366. Maryland Friends reported that their sufferings had been heavy, with 100,000 pounds of tobacco taken from them (at 1d per pound this was worth £406:13:4)—Minutes of London Yearly Meeting, II, 302-303 [Friends House Library, London].

⁴⁶ Epistles Sent, I, p. 372. Maryland Friends in 1700 wrote "in Relation to y^e Act divers times for y^e Priests Wages, a great deal of Friends Goods have been taken from them by that Unjust Law, and Some Suffered Imprisonment and trouble on y^t account of w^h a large acco^t might be given but wee are not without hope y^t by y^e Continued care of our Friends and Particular Correspondents with you, that Unreasonable Act will be Quite destroyed Even to Posterity, and y^t we may leave our Children as free from y^t Imposition as our Fathers left us"—Epistles Received, I, 327.

⁴⁷ Fulham Papers, II, p. 139.

I am now to acquaint y^e Grace that by God's assistance all our fears are Dissipated, and y^e Law for Establishing y^e Protestant Religion is Revived againe, so that I hope y^e malice of our enemys y^e Quakers has rather tended to our service than otherwise, for it has given us an handle to put it now upon such a foot *that it cannot possibly be unhinged againe, it is now washed and purged of all y^e Dreggs that were y^e cause of its being disassented to.*⁴⁸

Governor Blakiston's optimism was somewhat unwarranted, for—although Quaker attacks upon the 1696 Act had shown some of the weaknesses which were avoided in the 1700 one—there still remained a number of provisions in the new Act at which the Quaker attack could be directed. Quakers brought these matters to the attention of the Board of Trade and the Attorney General, who then presented the King with their opinion that it, like its predecessors, should be repealed—either by the King's order in Council or “by a new Bill or Bills to be formed with proper alteracons agreeable to the Tolleration allowed here, and sent to the Governour of Maryland to be offered to the Assembly of that Province.”⁴⁹

⁴⁸ *Ibid.*, II, p. 160. Italics added. Governor Blakiston and the Council also wrote to the Board of Trade in June, 1700, as follows: “there has been no sects of Religion here [which have] opposed that Law but the Papists & Quakers who from the first Beginning of his Majestys happy Gov^t here with which that Law entred have with their Greatest Might obstructed it & so diligent were they therein that the Quakers had got Copies of his Majestys Order in Council for disallowing that Law long before the Original from your Lordships arrived & their diligent spreading the same caused great Disquiets in the minds of his Majestys good Subjects & for their being antient Settlers we acknowledge that some though but few Papists were at the first seating but so far were the Quakers from being the most antient Seaters that when they first came in they were ordered to be whipped out for disturbing the Government . . . & they are so far now from being any considerable part that we are confident that they will not make the twelfth part of the Province but were this Law [laid] down we believe they would increase for both Sects are daily insinuating their doctrines into other [of] his Majestys good Subjects.”—*Archives of Maryland*, XXV, p. 93. It should be noted that the Governor was unaware that there were several years of “welcome” before the persecution began and, that after only a short period of persecution pushed by Utie, Lloyd, and several others, Lord Baltimore invited Quakers to settle in Maryland. Also some of the early settlers converted to Quakerism. Finally it should be noted that the estimate of Quaker strength in this letter (if the “one twelfth” refers to them rather than to “Papists”) does not coincide with other estimates from Quakers and non-Quakers.

⁴⁹ Book of Cases, II, pp. 57-59, 72-73. Among the “Exceptions” to the Act were a number connected with the makeup and powers of the vestries. It was also pointed out that “two former acts of the like Title, w^{ch} have been each of them severally disapproved, and annulled by your Ma^{ty}, are thereby also Repealed, As if your Ma^{ties} Disallowance of them had not been sufficient, which Presumption is Derogatory to your Ma^{ty}’s Royal Prerogative.”

The advice of the Lords Commissioners for Trade and Plantations led the King in Council, at the Court at Kensington, to make the following order on February 13, 1700/01,

Upon consideration this day had at the Board of a representation of the Lords Com^s for Trade and Plantations relating to an Act past in the Generall Assembly of Maryland the 26th of Aprill last For the Service of Almighty God and Establishment of Religion in that Province according to ye Church of England, wherein are contained severall matters and Clauses besides those mentioned in the said representation w^{ch} are lyable to materiall Exceptions.

It is ordered by his Ma^{ty} in Councell that the Lords Com^{rs} for Trade and Plantations, do present to his Ma^{ty} a New Bill for Establishing the Religion of the Church of England in Maryland incerting therein such proper Alteracons as are agreeable to the Tolleration allowed here, wth a Clause for Repealing the Act now in force upon passing the new Bill in the Generall Assembly of the Said Province which is to be done Immeadiately in the next Generall Assembly if it arives there while they are setting, otherwise that they fail not of passing the Said Bill before Christmas next, and in the meantime the present act is to subsist and continue in force, *but not to be put too vigorously in Execution*, And the Lords Com^{rs} for Trade and Plantations are to Signifye his Ma^{ty}s Pleasure herein by their Lett^r to the Governour of Maryland upon Transmitting the New Bill as aforesaid w^{ch} is to be done with all Expedition.⁵⁰

During this same period Dr. Bray was still at work, writing and talking to those individuals who could aid the cause of those who sought to keep the State Church—as well as appearing before the Board of Trade and the King's Council. On July 15, 1701, he complained of his expenses in opposing Quakers before these two groups. This alone, he wrote, cost him £20. His total expenses were £50 or more; this sum he expected to have reimbursed by Maryland funds.⁵¹

The King's order of February 13, 1701, did not repeal outright the 1700 Act, so that Maryland Friends continued to suffer in their struggle for religious freedom. London Friends (who were seeking to accomplish what could be done in England) encouraged Maryland Quakers to continue in their opposition to this "unjust Law,"

⁵⁰ *Ibid.*, II, p. 73. Italics added.

⁵¹ *Archives of Maryland*, XXIV, p. 223.



Interior of Brick Meeting House, Calvert, Cecil County, Maryland. Maryland Historical Society

And yett friends tis not in our hearts to Discourage you in your Opposing and Testifying against that unjust Law; yea the more they are Zealous for it the more may Ye be provoked to testify against it publickly and privately as y^e Lord shall afford you Opportunities and you may show and Expose y^e Antichristian practice of those that preach for hire and Divine for money & your Diligence herein may open y^e peoples understanding & tend to show them what Slavery they are putting themselves into & to whome.⁵²

The final "Act for the Establishment of Religious Worsh^{pp} in this Province According to the Church of England: and for the Maintenance of Ministers" was passed by the Maryland Assembly March 16, 1701/2. It required forty pounds of tobacco per poll upon every taxable person each year, to be collected by the sheriff.⁵³ Maryland Quakers immediately notified the

⁵² Epistles Sent, I, pp. 379-382. This letter is dated June 12, 1701.

⁵³ *Archives of Maryland*, XXIV, pp. 265-273. This Act had been written by the Commissioners of the Board of Trade, with the assistance of the Archbishop of Canterbury and other church leaders in England.

Correspondents in London of this development and informed them that the Act had been sent back to England for the approval of the Queen and Council.⁵⁴ They also expressed their appreciation for all that English Quakers had done in the past, saying that "altho y^e Endeavours of ffrriends have not taken y^e Effect desired yet there is a service in w[ha]t is done on y^t acco^t." They likewise stated their desire that English Friends might "see meet to make a fresh application for their further ease."⁵⁵ The London Correspondents for Maryland, assisted by William Penn, George Whitehead, and ten other Friends, were asked to accept this task.

Starting early in July, Theodore Eccleston, one of the Correspondents, began a series of visits to the Plantation Office to get a copy of the 1702 Act. In August Friends petitioned for a copy of the Act and once again heard that it had not arrived. Toward the end of October, 1702, John Field, another one of the Correspondents, reported that the 1702 Act had finally reached the Plantation Office—accompanied by an Address from the Maryland Assembly requesting that the Queen might pass this Act. Field also reported that the Board of Trade "has agreed that Friends shall have notice to be heard before they make their Report to y^e Queen and Councell."⁵⁶

Joseph Wyeth, still another of the Correspondents, reported on November 27 that he had spoken to "Esq. Popple Secretary to the Plantations office, who told him that there had been some debate upon the Bill in y^e Lords but they thought y^t we had nothing new to object."⁵⁷ The Meeting for Sufferings of London Yearly Meeting instructed Joseph Wyeth and Theodore Eccleston "speedily to attend the Lords of y^e Plantation office and be Ernest with them to be heard upon the Bill from thence to witt—Maryland before it was Recommended by them to the Queen and Councell."⁵⁸ Finally, late in December, these two Correspondents were successful in obtaining a copy of this Act from the Board, but when they appeared before the Lords to speak, Eccleston and Wyeth were told "y^t we had been heard already against this Bill and therefore they could not Receive

⁵⁴ Minutes of Meeting for Sufferings, XVI, p. 21.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, XV, pp. 36, 56, 57, 69, 79.

⁵⁷ *Ibid.*, XVI, p. 105.

⁵⁸ *Ibid.*, p. 114.

our objections, except our objections were new, and had not already been advanced, and y^t they have advised with Councill upon it."⁵⁹ The only step which now seemed open to the Correspondents was to apply directly to the Queen in Council. To their great surprise they discovered that the Act had been rushed there and had already been approved by the Queen in Council before they had a chance to appear.⁶⁰

It must have been with real sadness that English Friends reported to their Maryland brethren their failure with the 1702 Act in 11th Month [January], 1703. Finally a letter was received back from Thomas Everden, Richard Johns, and other Maryland Quakers expressing appreciation for the efforts of London Friends, even though the final result was not what they had hoped for.⁶¹ English Friends, who had not been successful in this final skirmish of the ten-year struggle, did not forget the plight of their fellow Quakers along the shores of the Chesapeake Bay. When a new Governor, Colonel Seymour, was appointed to go out in 1703, Edward Haistwell and several other Correspondents called on Seymour on behalf of Maryland Friends. He promised "to doe friends of y^t Country all the Right and Shew them all the Lawfull favour he could."⁶² Also, when Lord Baltimore—still a minor—was restored in 1715, London Friends appointed Theodore Eccleston, John Field, John Falconer, and Joseph Wyeth to present the "application" of Maryland Quakers to have restored to them "their antient priviledges."⁶³

⁵⁹ *Ibid.*, pp. 141-142. Cf. pp. 163-164 for a summary of the activities of the two Correspondents: Eccleston related "that he and other of y^e Correspond^{ts} for Maryland, in their attendance of the Lords Commissioners for Trade and Foreigne Plantations did obtain a Coppel of the New Bill y^t came from Maryland for 40^l Tobacco per Pole—for Maintaining the Episcopal Clergy there and that upon Receiving the Same they prepared objections agst it of w^{ch} a coppel had been delivered to Benj. Bealing—and delivered said objections to the Commissioners from they soon after Rec^d a letter unsigned—Signifying, that if the Bill we now objected to was not the same agst w^{ch} we had been heard before King W^m—then they would consider our objections, otherwise they could not.

To w^{ch} we prepared a Reply, and whilst we laid it before a Councill and were adviseing upon it, We sent a letter to their Secretary—to give Notice of our intent shortly to wait upon them wth an Answer—with which we being near Ready to our great Surprise Received an Acco^t 'twas carried on by them Presented to the Queen and ratified and confirmed by her in Council about y^e 18th:11/mo [O.S.] last."

⁶⁰ *Ibid.*, XVI, p. 164.

⁶¹ *Ibid.*, XVII, p. 91.

⁶² *Ibid.*, XVI, p. 239.

⁶³ *Ibid.*, XXI, pp. 390, 397.

From 1704 onward Maryland Quakers usually reported to London Friends in the following manner: "As touching our Concern with those in authority here, we are Pretty Easie under their Government—Except upon the act of 40^{lb} per Pole for the Priests wages^{ch} wee cannot pay, soe they make distress upon our Goods."⁶⁴ Records of Maryland Yearly Meetings and its various Quarterly Meetings and Monthly Meetings up to 1776 are filled with constant reminders to Friends to "maintain our Testimony against the payment of priests wages." Until the Revolutionary War, when the Church of England as established in Maryland was no longer able to enforce support from others, these same Maryland Quaker records are full of "the Suffering of Friends on account of Priests Wages," for the Anglican priests were constantly after the various sheriffs to enforce their maintenance.⁶⁵

Continuing Quaker opposition to the Established Church, as shown in their refusal to pay the tax to support it, was one of the reasons for the Act's final repeal—just as earlier Quaker opposition from 1692 to 1702 had held up its full application for ten years to begin with. This was one of the major Quaker contributions⁶⁶ to the ongoing development of religious freedom in Maryland.

⁶⁴ Epistles Received, I, pp. 413-414. Cf. Minutes of Meeting for Sufferings, XXII, 96 where Maryland Friends in 1716 say "our only Sufferings are for Priests Maintenance and Buildings and Repairing Worship Houses."

⁶⁵ Just as an example one might note some of the distrains in Third Haven Monthly Meeting. In 1769 James Edmondson had twenty shillings "executed" from him—while Isaac Dixon lost four cows, Isaac Cox one gun, William Troth one mare, Joseph Berry one pair of "steel yards," Thomas Cockayne one pair of saddle bags, and William Edmondson eleven shillings and three pence. Isaac Dixon had the Sheriff return a second time that year and take four more "cattle" to settle back claims for 1762, 1763, and 1764 [See Third Haven Minutes, II, pp. 260, 349, 389, 453, 462, 465, 470, 472, 473, 501].

⁶⁶ Other contributions would center around Quaker opposition to oaths and war.

SIDELIGHTS

THE CHOPTANK INDIANS OF MARYLAND UNDER THE PROPRIETARY GOVERNMENT

BY JANE HENRY

WHEN the first English settlers came to the North American continent, they found the land occupied, to some degree at least, by Indian tribes who were for the most part friendly. These Indian tribes were generally dealt with as separate political entities, as foreign nations. The various governing bodies of the settlers made treaties of peace and trade with the separate tribes and usually purchased lands from them. This legal ritual proved to be of little value to the Indians; in a relatively short period there were, for all practical purposes, no Indians left in areas settled by white men. The Province of Maryland treated the Indians in this legal manner; the fate of the Choptank Indians of the Eastern Shore of Maryland shows that this was ineffective in protecting the Indians.

The Indians of Maryland were, except for the Susquehannocks who were Iroquoian, of Algonquin stock, closely related to the Delawares or Lenni Lenape.¹ An estimate based on reasonable evidence places their number at the time of the first settlement of Maryland at seven or eight thousand.² The Choptank Indians, a tribe connected to the Nanticoke Indians of the Algonquin nation, lived then around the Choptank River on the Eastern Shore. This tribe, numbering two or three hundred in 1640 according to one Thomas Youall,³ was treated as an autonomous political unit by the government of Maryland throughout the colonial period.⁴ The Choptanks consisted of three subtribes: the Ababco, the Hatsawap, and the Tequassimo;⁵ these names, with various spellings were also given to the Choptank villages and to the chiefs of the Choptank subtribes.

From the first day of settlement in Maryland, it was the policy of

¹ James E. Hancock, "The Indians of the Chesapeake Bay Section," *Md. Hist. Mag.*, XXII, No. 1 (March, 1927), p. 27.

² Raphael Semmes, *Captains and Mariners of Early Maryland* (Baltimore, 1937), p. 712.

³ William H. Browne, et al., eds., *Archives of Maryland* (70 vols., Baltimore, 1883 to present), V, p. 190.

⁴ Charles B. Clark, ed., *The Eastern Shore of Maryland and Virginia* (2 vols., New York, 1950), I, p. 55.

⁵ Frederick Webb Hodge, ed. *Handbook of American Indians North of Mexico* (2 vols., Washington, 1907), I, p. 291.

Lord Baltimore's governing body to recognize Indian rights of tribal occupancy; the site of St. Mary's was purchased from the Indians. Father Andrew White wrote in *A Briefe Relation of the Voyage unto Maryland*: "To avoid all occasion of dislike and colour of wrong, we bought the space of thirty miles of them. . ."⁶ *A Relation of Maryland* of 1635 gives more details of this purchase by Governor Leonard Calvert:

To make his entry peaceable and safe, hee thought fit to present the Werowance and the *Wisoes* of the Towne with some English cloth, (such as is used in trade with the Indians) Axes, Howes, and Knives, which they accepted very kindly, and freely gave consent that hee and his company should dwell in one part of their Towne . . .⁷

After the sale of land took place, the Indians and white settlers made an agreement concerning future arrangements between them:

And they made mutuall promises to each other, to live friendly and peaceably together, and if any injury should happen to be done on any part, that satisfaction should be made for the same.⁸

There is no evidence of insincerity on the part of Lord Baltimore. In point of fact, a rather amusing proof of his determinedness to deal fairly with the Indians is evidenced in a letter from Governor Leonard Calvert to Lord Baltimore in 1638; the Governor was unable to send the Proprietor the "matts" that he requested because the cost of them "amounts to such a charge to be bought from the Indians that I had not sufficient means to purchase it."⁹ There was no thought of taking these from the Indians without payment. All purchases and treaties with Maryland Indians were made through the tribe and with tribal sanctions, as far as the government was concerned.¹⁰ This policy was followed throughout the colonial period.

In line with this policy, when the Eastern Shore began to attract more and more settlers, a treaty with the Susquehannocks ceding to Lord Baltimore and his representatives all portions of the Eastern Shore north of the Choptank River was arranged in 1652.¹¹ The Choptank Indians remained south of the river, in what is present day Dorchester County. About 1658, white settlers began to arrive on the Choptank River, taking up tracts of land where the Indians

⁶ Clayton Colman Hall, ed., *Narratives of Early Maryland, Original Narratives of Early America* (New York, 1910), p. 42.

⁷ *Ibid.*, p. 73.

⁸ *Ibid.*, p. 74.

⁹ *The Calvert Papers: Number One* (Baltimore, 1889), p. 192.

¹⁰ Hancock, "Indians of Chesapeake Bay Section," p. 37.

¹¹ *Archives of Maryland*, III, p. 277.

had towns and hunting grounds.¹² The Choptanks were friendly toward the Proprietary government, so, with the Transquakin Indians and the Locust Neck Indians of Dorchester, gave Maryland colonists permission to settle on lands belonging to them in 1659.¹³ During this same year, the first surveys of land in the Choptank River area were made; the rent rolls show more than one hundred white settlers were already there,¹⁴ and they continued moving in on the Indian lands.

Lord Baltimore tried to protect these gentle natives from the encroachments of both white settlers and the more aggressive Indian tribes. And in a treaty between the Assateague Indians and Baltimore in 1668, it was specifically stated that the Choptanks were to be protected by the Lord Proprietor the same as white settlers, and that killing one of these Indians would be "esteemed as great an offence as killing of an English man."¹⁵ In later treaties with the Nanticoques, the Pocomokes, and other tribes in the southern part of the Eastern Shore, this protection was extended and re-affirmed.¹⁶ The Maryland government proved more effective in protecting the Choptanks from other Indians than from encroachment on their land by white settlers.

By 1669, pressure from the whites had become a serious threat to the Choptank Indians. On 6 May, the chiefs of the Indians in the Choptank, Abaco, Hatsawap, and Tequasimo¹⁷ appeared before the General Assembly of Maryland with complaints of white encroachments on their land. They closed with this request:

They therefore pray that the land above Will.^m Stephens Creek as high as the Creek called Secretary Sewall's Creek may be reserved & laid out for them & that no English may Seate within those Bounds, that they may have Pattent from his Lordship for it . . .¹⁸

The Lord Proprietor and the General Assembly had started the practice of sequestering Indian lands or reservations as early as 1650.¹⁹ They quickly complied with the request. And shortly after, in the same year, an act was signed by Cecil Calvert:

An Act for the Continuance of peace with and proteccion of our Neighbors and Confederate Indians in Choptank River.

¹² Clark, *Eastern Shore*, I, p. 55.

¹³ Semmes, *Captains and Mariners*, p. 712.

¹⁴ Elias Jones, *New Revised History of Dorchester County, Maryland* (Cambridge, 1966), p. 29.

¹⁵ *Archives of Maryland*, XV, p. 171.

¹⁶ *Ibid.*, XV, pp. 174, 213.

¹⁷ Frank G. Speck, *The Nanticoke and Conoy Indians* (Wilmington, 1927), p. 31.

¹⁸ *Archives of Maryland*, II, p. 196.

¹⁹ Hancock, "Indians of Chesapeake Bay Section," p. 37.



Leonard Calvert (1608-1647), First Colonial Governor of Maryland (1633-1647).
Maryland Historical Society

It being most Just that the Indians the auncient Inhabitants of this Province should have a Convenient dwelling place free from the Incroachment and oppression of the English and more Especially such who are in league with us and for their friendship to vs are in danger to be destroyed by their Neighbor Nations our Enemyes And whereas Ababco Hatsawapp and Tequassimo have of late given large Testimonies of their fidelity toward us in delivering up the Murtherer of Captain John Odber For which they are in danger to be Cutt of and destroyed by the Wiccomesses and their Confederates the Matwha's Indians Bee itt

Enacted by the Right Hon^{ble}. the Lord Proprietary by and with the advice and Consent of the upper and lower house of this present Generall Assembly that all that land lyeing and being on the south side of Choptanke River Bounded Westerly by the freehold now in the Tenure and occupacōn of William Dorrington And Easterly with the Creeke falling into the said River of Choptanke Commonly by the English called or knowne by the name of Secretary Sewalls Creeke for breadth and from the said River side three miles into the woods for length shall be vnto the said Ababco Hatsawap and Tequassimo and the people under their government or Charge and their heires for ever any Law, vsage, Custome, or graunt to the Contrary hereof in any wise Notwith-

standing To be held of the said Lord Proprietary his heires Lord and Proprietary or Lords and Proprietaryes of this Province under the yearely Rent of six Beavor skinns to be paid to his said Lordship and his heires as other Rents in this Province by the English use to be payd.

And Bee itt further Enacted by the Authority advice and Consent aforesaid that itt shall and may be Lawfull for the Governour of this Province for the tyme being to rayse out of this Province such and soe much Tobacco by an Equall Assessment vpon the Estates of the freemen of this Province as he shall be out of purse in procureing a League with the Matwhas Indians in which the said Ababco Hatsawap and Tequassimo & their people and subjects shall be Included Provided the said League be had and Concluded within three yeares next Ensueing from the last day of this present Generall Assembly—²⁰

In spite of this Act, offences against the Choptanks by the settlers continued. In 1676, a Choptank appeared before the Assembly to complain of a gun being taken from him by a white man. Restitution was ordered.²¹ Again in 1679 a similar complaint was made by Abaco "that One Thomas Harper of Dorchester County an English man had by force taken from him his Gunn. . . ." ²² That the governing body did not want its white settlers to offend against these Indians is evidenced by the reply to this complaint:

Whereupon an ord^r is directed to the Sheriff of that County commanding him to make delivery of the said Gunn and to take bond of the said Harper for his good behavio^r and his appearance at the Next Prov^{es} Court. . . ²³

The relationship between the Indians and the Proprietary remained friendly even though the Maryland government was unable to protect the Indians against its own people. When, in 1683, Abaco requested permission to move away from the reserved lands on the Choptank for a time because northern Indian tribes were endangering his people,²⁴ the Proprietary replied thus:

His L^{supp}: well resents their advising him of their inclinations to remoove, and give his free consent thereunto, but hopes they will have noe occasion, however doth assure them that their Land shall be safely reserved for them, when ever they shall think fitt to returne.²⁵

²⁰ *Archives of Maryland*, II, p. 200.

²¹ *Ibid.*, XV, p. 78.

²² *Ibid.*, XV, p. 273.

²³ *Ibid.*

²⁴ *Ibid.*, XVII, p. 230.

²⁵ *Ibid.*

There was a sincere desire on the part of the Proprietary to live in peace and justice with the Indians, but the distance between the seat of government and the settlements of Maryland made enforcement of moves to protect the Indians nearly impossible. One injustice would be rectified, ten more would be overlooked. Records show that one complaint of the encroachment of white settlers on Indian lands would be settled, only to be followed by another. This, for example, appears in the records of March, 1694:

Several Choptank Indians appearing here at the Board made Complaint that Maj^r Thomas Taylor of Dorchester County had intrenched upon their Land given and Granted them by the Lord Baltimore to live upon. . .²⁶

Another example in 1698:

Came King Nicanoughtough a Choptank Indian above Cambridge with Five of his great men, says that he is Complain to his Exc^{l^{ty}} about his land upon which Major Taylor Henry Thomas, M^r John Anderson and three more have plantations.²⁷

The Assembly sent the Indians back to Dorchester with this letter to the "Magistrates appointed by Act of Assembly for deciding Differences between the English & Indians:"²⁸

By the Inclosed you will see the Indians Complaint which they make to me about their Lands & c^a therefore to the end no Misunderstanding may happen between them & us I do command you to make due Enquiry thereinto & endeavor to settle that matter with them. . .²⁹

Another kind of complaint, even more ominous, appears in the records of this year, 1698:

The Choptank Indians say that one William Drawer by Chance snapping of a Gun Shott one of their Women which is dead the Indians say that about one hundred of them are dead on the Eastern Shore And Complain that some of the English forwarne them from hunting upon their Land³⁰

Choptank Indians continued to place complaints before the General Assembly in the eighteenth century. In May, 1719:

Tom Bishop on Behalf of the Choptank Indians . . . Complains that the English have Very much Incroached upon them in Settling within the Bounds of their Land at Choptank so that they are now Drove into a small narrow neck called Locust Neck.³¹

²⁶ *Ibid.*, XX, p. 225.

²⁷ *Ibid.*, XXIII, p. 456.

²⁸ *Ibid.*, XXIII, p. 457.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*, XXXIII, p. 312.



Cecil Calvert (1606-1675), Second Lord Baltimore (1632-1675). Maryland Historical Society

In 1722 several Choptanks appeared before the Assembly to complain of non-payment for lands and rent.³² The Assembly made this decision:

Upon hearing these several Complaints and taking them into Consideration the honble Board acquaint the Indians by their Interpreter that all those who have bought Lands on the other side of the Choptank River shall be Compelled to pay the Indians but that they must not sell Land on this side of the River and that their other Grievances should be redressed. . .³³

³² *Ibid.*, XXV, p. 392.

³³ *Ibid.*

By 1725, there had been so many complaints by the Indians on the Eastern Shore, and there were so many conflicting claims by Indians and whites, that a committee was appointed by the Assembly to look into these matters. They found very little reservation land left; there were many instances of whites having gotten individual Indians intoxicated and buying land for next to nothing. Much of the Indian land taken up by whites had not even been paid for. Settlers were now ordered to keep hands off all Indian lands.³⁴

In spite of these difficulties with the settlers, the Choptank Indians remained faithful to the Proprietor. In 1681, they refused to join other Nanticoke tribes in a proposed attack on the English;³⁵ in 1742 when the Seneca Indians tried to coerce the Choptanks into allying themselves in an uprising against the white settlers "in roasting Ear and Apple time,"³⁶ the Choptanks again refused, sending "two of their Indians up to the Shawan [Senecas] in order to acquaint them not to come down."³⁷

Constant encroaching white settlements, drink, Indian wars, diseases brought by the white man had made deep inroads into the Indian population of Maryland.³⁸ Most of the Indians of the Chesapeake area moving northward and westward had dispersed by mid-eighteenth century.³⁹ The Nanticokes, by 1748, were established in Pennsylvania, under the protection of the New York Iroquois; in 1785 they joined the Mohican migration to Ohio.⁴⁰ Some Choptanks joined in this movement;⁴¹ some remained on the banks of their river.

The Choptank Indian Reserve was re-affirmed in 1741;⁴² still settlers moved in on the reserved land, planting, cutting timber, and refusing the pay rents to the Indians. In April of 1754 the Locust Neck and Choptank Indians appeared before the General Assembly of Maryland to present this poignant petition:

The humble Petition of the Choptank & Locust Neck Indians
Most humbly sheweth

That Where as we the said Indians, being Intitled to and Possesst of a Parcell of Land lying on Choptank River in Dorchester County by Virtue of a Treaty Subsisting &c. and afterwards confirmed by Act of Assembly of this Province to us and

³⁴ *Ibid.*, XXXV, pp. 266-276.

³⁵ *Ibid.*, XV, p. 360.

³⁶ *Ibid.*, XXVIII, p. 262.

³⁷ *Ibid.*

³⁸ Semmes, *Captains and Mariners*, p. 712.

³⁹ Speck, *Nanticoke and Conoy Indians*, p. 7.

⁴⁰ Hancock, "Indians of Chesapeake Bay Section," p. 39.

⁴¹ Clark, *Eastern Shore*, I, p. 56.

⁴² *Archives of Maryland*, XLII, pp. 261-263.

our Indians so long as we or any of our Indians shall Peaceably and Quietly Occupy Possess and dwell on the same without being Lett hindered disturbed or Incroached upon by any Person or Persons whatsoever.

Your humble Petitioners most humbly sheweth that continual frauds Trespasses and Incroachments have been and are yet committed on our Land by Cutting bearing off and Selling Large Quantitys of Timber of our Lands. Others who have got in Possession of our Lands Refused to give up the same or pay the yearly Rents thereof continually disturbing those Peaceable People who live on our Land and of whom we received the yearly Rents thereof. We therefore Most humbly Beg that your Excellency would by some proper Means Redress our Injuries and your humble petitioners as in duty bound shall ever pray.⁴³

In 1755, the Assembly heard another lengthy complaint from these Indians of timber cutting, money due them, land being taken up by settlers.⁴⁴ Signed by the "Indian Chiefs of Locust Neck," the petition said:

. . . Thus Sir our Miseries Encreases, Hunting Decays our Credit Low and We Reduced to a very few in Number and they Chiefly old Cripled or Sickley Scare being able to Support Life We are in a Bad Case . . . we have no hope but in the Government . . .⁴⁵

Once again the government of Maryland displayed its good faith.

Ordered that the Attorney General Exhibit an Information against such Persons as are Complained against, by the Locust Neck Indians for Trespassing and Committing Waste on the Lands Claimed by the said Indians.⁴⁶

Thus the Maryland Assembly tried time and again to protect the Indians in the Province but the push of white settlement was too strong. The report of the condition of Maryland in 1756 includes this statement:

There are about 140 Indians in Maryland who reside in the populous parts of the Country on several Tracts of Land that have been reserved for their Use since the English first settled here, these domestic Indians are well inclined and live in good Harmony with the Inhabitants.⁴⁷

The Choptank Indians continued to exist as a tribe throughout the last years of the Province and through the early years of the

⁴³ *Ibid.*, XXXI, p. 40.

⁴⁴ *Ibid.*, XXXI, pp. 83-84.

⁴⁵ *Ibid.*, XXXI, p. 84.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*, XXXI, p. 146.

State. A letter from Dr. William Vans Murray of Cambridge in Dorchester County to Thomas Jefferson, dated 18 September 1792, described the condition of the Choptank Indians remaining on their reservation:

. . . The tribe has dwindled almost to extinction. It is still, however, possessed of five thousand acres of land which were reserved to them by the Assembly of Maryland in the first settlement of the Province. The little town where they live consists but of four genuine wigwams, thatched over with the bark of the cedar—very old—and two framed houses . . . They are not more than nine in number; The others of the tribe, which in this century was at least Five Hundred in number, having died or removed towards the frontiers . . . A few years must totally extinguish the remains of this tribe . . .⁴⁸

And at the top of a manuscript page containing a list of Choptank Indian words that Dr. Murray was sending to Mr. Jefferson were these notes:

Taken at Locust-Neck Town—the remains of an ancient Indian Town on Goose Creek, Choptank River, in Dorset, Maryland—Five wigwams and a board house with a glass window now form the whole that is left of the Nanticoke tribe, wh was, an hundred years since, numerous and powerful—many of them migrated to the Six Nations within my memory—about twenty-five years since . . .⁴⁹

By the end of the eighteenth century, there were only *four* Choptank Indians left on the Choptank River.⁵⁰ These four were confined to eighty acres of land; each Indian was allowed ten acres of cleared land and ten acres of woodland.⁵¹

The Proprietor of the Province of Maryland tried to deal fairly with the Indians found on the lands granted to him. But the push of white settlement made it inevitable that the gentle natives of this land would be overcome. Yet, in a sense the government of Maryland kept faith to the end. The last Choptank Indians sold their reservation lands in consideration of annuities given by the State of Maryland.⁵² Then this tribe ceased to exist.

⁴⁸ Speck, *Nanticoke and Conoy Indians*, pp. 39-40.

⁴⁹ *Ibid.*, p. 41.

⁵⁰ Semmes, *Captains and Mariners*, p. 412.

⁵¹ *Ibid.*, p. 790.

⁵² *Ibid.*, p. 412.

BIBLIOGRAPHICAL NOTES

Edited By P. W. FILBY

PLAYS BY MARYLANDERS, 1870-1916

COMPILED BY EDGAR G. HEYL

NELSON, FRANK H.

Alone; a drama in 5 acts, by F. H. Nelson.

© Frank H. Nelson, Baltimore; 1872:2646, Mar. 18.

He would be a mason; a burlesque drama in 1 act, by F. H. Nelson.

© Frank H. Nelson, Baltimore; 1871:10588, Nov. 8.

Jack the Giant-killer; an extravaganza in 1 act, by Frank H. Nelson.

© William E. Sinn, Baltimore; 1871:11732, Dec. 12.

Old (The) woman who lived in a shoe; a pantomimic burletta in 1 act, by Frank H. Nelson.

© George R. Edeson, Baltimore; 1871:11358, Dec. 1.

NEW, ARCHEY CAMERON

\$500 goes begging; or, The \$500 secret, farce comedy in 3 acts, by A. C. New. [1], 61 p. 4°. Typewritten.

© 1c. Jan. 19, 1916; D:42794; Archey Cameron New, Baltimore.

Man's prerogative; play in 3 acts, by A. C. New. [2], 58 p. 4°. Typewritten.

© 1c. Oct. 31, 1916; D:43091; Archey Cameron New, Baltimore.

NOBLE, FRANKLIN A.

Foiled; or, Reunited, a sensation drama, by F. A. Noble.

© Franklin A. Noble, Baltimore; 1873:5157, May 9.

From afar; or, Reunited, a melodrama in a prologue and 3 acts, by F. A. Noble.

© Franklin A. Noble, Baltimore; 1873:2716, Mar. 18.

NOOT, SIMON, see FARRAR, HERBERT NASH

NOTLAG, RYAM, see GALTON, MARY PYNE

O'KEEFFE, JAMES WILLIAM and JAMES BEAUREGARD HEALY

Grace Arlington, the rightful heiress; an American drama in 4 acts, by J. W. O'Keeffe and J. B. Healy. Baltimore, Price-Current job printing house, 1886. 56 p. 12°.

© James William O'Keeffe and James Beauregard Healy, Baltimore; 1886:11305, May 13; 2c. June 23.

OLIVIER, STUART

Sport of law; play in 4 acts, by S. Olivier. [20] p. f°. Printed.

© 1c. Aug. 17, 1916; D:44720; Stuart Olivier, Lutherville, Md.

OSBORN, LYNN

Colonel (The) of the Red Huzzars; modern romantic play in 4 acts, dramatized from J. R. Scott's novel of the same name, by, L. Osborn. [98] p. 4°. Typewritten.

© 1c. Feb. 12, 1912; D:28669; John Reed Scott, Washington and Lynn Osborn, Baltimore.

Plays © in other states - 3.

OTTENHEIMER, JACK L. and HERBERT N. FARRAR

Dresser's (The) dream; by J. L. Ottenheimer and Herbert N. Farrar.

© Jack L. Ottenheimer and Herbert N. Farrar, Baltimore; D:6488; Apr. 5, 1905.

OWENS, JOHN E.

Blue (The) and the gray; a historical play in 4 acts and 6 tableaux, by J. E. Owens.

© John E. Owens, Towsontown, Md.; 1874:12176, Sept. 28.

Caleb Plummer, the toy maker; a domestic play in 3 acts, from Dickens' *Cricket on the hearth*.

© John E. Owens, Towsontown, Md.; 1874:10971, Aug. 22. *Celestial imps*; comedy in 5 acts and 5 tableaux.

© John E. Owens, Towsontown, Md.; 1874:10967, Aug. 22. *Coming (The) man*; a play in 5 acts.

© John E. Owens, Towsontown, Md.; 1874:10969, Aug. 22. *Game (A) of bluff*; an original American comicality in 1 act.

- © John E. Owens, Towson, Md.; 1874:10968, Aug. 22.
Old umbrellas; a pathetic play in 1 act.
- © John E. Owens, Towson, Md.; 1874:10970, Aug. 22.
That wife of mine; a farce in 2 acts, by J. E. Owens.
- © John E. Owens, Maryland; 1877:11136, Sept. 28.
Waggaries and vagaries; or, A comedian's holiday, a humorous conceit in 2 acts.
- © John E. Owens, Towson, Md.; 1874:10972, Aug. 22.
 Plays © in other states - 3.

OWENS, MRS. JOHN E.

Solon Shingle; a characteristic American drama in 3 acts, by Mrs. John E. Owens.

- © Mrs. John E. Owens, Baltimore, 1894:2117, Jan. 5.

PARKER, GEORGE D. Also see GOTTHOLD, CHARLES F.
Girl (The) from the sun-kissed East; a play of Western life in 1 act, by G. D. Parker. 25 p. 4°. Typewritten.

- © George D. Parker, Baltimore; D:8703, June 15, 1906; 2c. July 2, 1906.

On New Year's eve; a play in 1 act, by George D. Parker. 11 p. 4°. Typewritten.

- © G. D. Parker, Baltimore; D:9292, Oct. 23, 1906; 2c. Nov. 5, 1906.

Stronger (The) claim; a play in 3 acts, by G. D. Parker. 71 p. 4°. Typewritten.

- © 1c. Jan. 14, 1910; D:17937; George D. Parker, Baltimore.
 Plays © in other states - 3.

PARKER, GEORGE D. and W. E. GRAHAM

Captain Scarlet; by G. D. Parker and W. E. Graham. 61 p. 4°. Typewritten.

- © George D. Parker, Baltimore; D:2129, July 17, 1902; 2c. Sept. 13, 1902.

PENDLETON, MARY PEARL

Olive Varcoe; or, True to the last, a drama in 5 acts, by M. P. Pendleton.

- © Mary Pearl Pendleton, Baltimore; 1873:10567, Sept. 13.

PENTZ, WILLIAM F. Also see KRANTZ, A. A.
Bunyan's dream; a dramatization of the first part of Pilgrim's progress, by W. F. Pentz.

© William F. Pentz, Baltimore; 1884:17094, Aug. 23.

PERSONETTE, CHARLES T.

Millions of money; a drama in 3 acts, adapted from the French of Theodore Barrière and Henry De Kock, by C. T. Personette.

© Charles T. Personette, Baltimore; 1885:1920, Jan. 21.

PIQUETT, G. D.

Is marriage a failure? or, Put to the test.

© G. D. Piquett, Baltimore; 1895:19966, Apr. 11.

PRESTON, HANNAH GAITHER

Spark (A) from Mars; by H. G. Preston. [9] p. 4°. Typewritten.

© 1c. Nov. 3, 1911; D:25747; Hannah Gaither Preston, Baltimore.

NOTES ON MARYLAND HISTORICAL SOCIETY COLLECTIONS GENEALOGICAL NOTES

BY MARY K. MEYER

(Continued from volume 65, number 1, page 74.)

WE HAVE concentrated our study thus far on the seventeenth and eighteenth centuries, because it is this period for which immigration records are so very difficult to locate. There probably are more such records extant, perhaps in collections of old business records, family papers, or European collections. It is hoped that anyone who owns or knows of such records will bring them to the attention of the Maryland Historical Society.

One group of immigrants not mentioned in Lancour, and all too often overlooked, was the Acadians. On the first of December 1755, five shiploads of these unfortunate people arrived in the port of Annapolis, but only one ship was allowed to discharge its passengers there. Of the other ships, one discharged its passengers at Baltimore Town, one on the Patuxent River, the remaining two at Oxford and Wicomico on the Eastern Shore. Although we do not know of the existence of passenger lists for these five ships, the names of the various families who arrived in Maryland and their places of residence, can be found in *Mémoire Acadienne au Nivernois in Correspondence Politique Angleterre*, 1763, CDL, ff. 438-46. Unfortunately, this work is not available locally.

At the February 1756 session of the General Assembly of Maryland, an act was passed to deal with the behavior and welfare of these Acadians. Among other provisions, the act required the "Constables in every hundred to take and return to the next August Court of their respective Counties, to be entered in the records of the said County, an exact list of all and every French Neutral Acadian in their several Hundreds, distinguishing therein the men, women, boys and girls." Whether

or not such a list was made by the constables of each hundred in the Province, I have been unable to determine. But if these lists were made and if they could be found, they would substitute nicely for passenger lists, in that they were supposed to have been made within less than a year after the arrival of this group.

Beginning in the early part of the nineteenth century, fairly good records of passenger arrivals were kept by customs and immigration officials. The majority of these records or copies of them are now available for research by the public at the National Archives in Washington, D. C. Records for the Port of Baltimore are available from 1820 through 1891 at the National Archives, and there is a card index for these lists. There are also a very few records available for the ports of Annapolis, Havre de Grace, and Georgetown, D. C. More detailed information about these lists may be found in Lancour's *Bibliography* or by writing directly to the National Archives, Washington, D. C.

As we mentioned in our previous article on this subject, new books of ships' passenger lists are appearing on the market with some frequency, and we listed those that to our knowledge had recently been published. Since that time, another book on the subject has made its appearance, Jack and Marion Kaminkow, *Passengers who arrived in the United States, Sept. 1821-Dec. 1823* (Baltimore: Magna Carta Book Co., 1969), which used transcripts made by the State Department. This latest book, as well as those mentioned in our previous article, is available for research at the Maryland Historical Society Library. Also available at the Society are some ships passenger lists for the Port of Baltimore from 1891 through 1913 and for 1921. These lists are by no means complete and have never been indexed, making research rather difficult. They are, however, available and can be of value to the careful researcher.

REVIEWS OF RECENT BOOKS

The Negro in Maryland Politics, 1870-1912. By Margaret Law Callcott. (Baltimore: The Johns Hopkins Press, 1969. Pp. xv, 199. Notes, bibliography, and index, \$7.95.)

Mrs. Callcott's book offers more for the money than the title indicates. Not only is there a history of the Negro in Maryland politics, but there is also an historical analysis of Maryland politics for the years from 1870 to 1912.

To take each in turn, the author's main thesis is that Negroes in Maryland upon obtaining the vote in 1870 used it responsibly over the succeeding years. Where white voter registrations ran from 81 per cent to 97 per cent of the eligible whites during these years, black voter registration generally ran only about 5 percent less (See Table 11, p. 142). Given the higher black illiteracy rate, greater poverty and the disadvantages of living in a racist society, this achievement was very substantial.

Blacks generally voted Republican, and by doing so, helped to maintain the two-party system in Maryland. This in turn kept the dominant Democratic party more honest and responsible than if the continuing challenge were not there. Twice Republicans won the governorship at crucial times. Also, the strong Republican opposition prevented the disfranchisement of Maryland's blacks, which the Democrats attempted to do three times between 1905 and 1912. By contrast, all of the states to the South with their essentially one-party systems disfranchised the black voter during this era.

Besides preventing disfranchisement and receiving the indirect benefits that all Marylanders obtained from a strong two-party system, blacks got precious little reward for their strong political participation. The Republican party was just as segregationist as the Democrats when the many Jim Crow laws were passed in the first decade of the twentieth century. Patronage for black Republicans was minimal except for menial jobs. And no blacks were ever nominated for state or federal elective office as happened in Virginia and states to the South. In Baltimore City there was one black councilman, but he represented a predominantly black ward. The result was that Maryland's Negroes participated about as fully as Maryland's whites would let them, which beyond the vote was not

very much. Blacks wanted more involvement, organizing voter leagues and other groups to this end, but to no avail.

Turning to the state political scene, Mrs. Callcott traces the machinations of both political parties competing for office, legislating and governing the state. She clearly describes the rise of the Gorman-Rasin machine to power, with the continuing challenges of independent Democrats as well as Republicans. (It is the fusion of the two that beat the incumbents in 1895 and 1911.) Her perception of economic influences—farm, labor, business and maritime—offers added insights to the party and factional contests. Yet, it is here that the picture begins to blur. The Republicans and independent Democrats are portrayed as representing the business interests, particularly of Baltimore City and the Baltimore and Ohio Railroad. The Gorman-Rasin Democrats appear to represent the farmers, city laborers and the oyster tongers from the Eastern Shore. This picture is too simple. Granted John Cowen and the B. & O. backed the independents and later the Republicans, what about the Pennsylvania Railroad which long supported Gorman? It is not even mentioned! Most of Gorman's support in the Senate came from business-oriented colleagues; he must have had substantial business support at home, too.

The conflict between the Gorman-Rasin machine and the Republican-Independent Democrat opposition was not simply economic. Nor was it simply economic and racial, though both had substantial influence. There was the large question of the morality of the Gorman-Rasin machine as the mugwumps among the opposition continually raised. Was the machine trying to take over the heretofore independent judiciary in the 1882 "New Judges" election as the reformers charged? To what extent did the machine's false voter registrations, vote buying, and other election tricks play a part in the 1895 victory of the Republicans? Was Gorman's goal in disfranchising the Negro in 1905 primarily racist or political? C. Vann Woodward argues that further South the racism, though real, was also a cover for a political coup d'état to ensure one party rule. Certainly Gorman had this need and his opponents in 1905 thought that one party rule was his goal.

In sum, politics in the Old Line State was more complicated than Mrs. Callcott has described them. Yet, she has done well to put together as complete a picture as she has because source materials are not easily obtainable. Few state leaders left letters or memoirs, and there are many pieces missing from the puzzle. Hopefully today's political leaders in both Baltimore and Annapolis will be more helpful to future historians than their predecessors were to Mrs. Callcott.

If state or local history has value in providing for the present a perspective of what truly happened in the past and if it has value in building a sense of pride or citizenship in one's city or state, then it must be done well. To be done well requires not only the newspapers, magazines, and official documents of an earlier era, but also the personal observations of participants in the events of the day. Perhaps the Maryland Historical Society or some other group should begin now to tape the reminiscences of the McKeldins, Tawes, D'Alessandros and Agnews to facilitate the work of the next generation of historians.

Hollins College

JAMES B. CROOKS

Virginia: Bourbonism to Byrd, 1870-1925. By Allen W. Moger.
(Charlottesville: The University Press of Virginia, 1968. Pp. 397. \$7.50.)

Virginians, though inordinately preoccupied with their past, have lavished their attention upon a part of that past—upon the great plantations, the founding fathers, and the lost cause. I would venture that the average Virginian is scarcely aware of anything that happened in Virginia between the end of Reconstruction and the advent of Harry Flood Byrd who for so many years dominated Virginia politics. I recall a bit of Virginia student blasphemy which once seemed to have the ring of truth: "In the beginning was the Word—and the Word was Byrd."

Fortunately, during the last two decades Professor Edward Younger has encouraged his graduate students at the University of Virginia to investigate various aspects of the political history of Virginia since Reconstruction. This book is, in large measure, a synthesis of the theses, dissertations, and articles which have resulted from Professor Younger's efforts, supplemented by Professor Moger's investigation of newspapers, public documents, and secondary sources.

The years from 1870 to 1925 do not constitute a purely transitional period in Virginia history. These were years of change and growth—of savage economic and political warfare. After a conservative coalition "redeemed" the state from Radical Republican rule, battle lines were drawn between the "Funders," who insisted, in vindication of the honor of Virginia, upon the payment of the state debt, and the "Readjusters," who wanted to scale down the war-inflated debt to provide increased governmental services. The ambitions of rival railroad promoters intensified the conflict. Gen-

eral William Mahone, leader of the Readjusters, made a bid to become political boss of the Commonwealth, but his move into the Republican party was a monument to his defeat. Thereafter, political in-fighting was waged within the Democratic Party between the dominant conservative organization and the independents.

The conservatives who redeemed Virginia and embraced the Funder philosophy of fiscal integrity were known as "Bourbons." The Bourbons were businessmen. Their "policy was dictated by men of money or [by men] who represented money." "Until 1877," says Professor Moger, "the union between the Bourbons and the capitalistic interests was made effective by funding the debt, decreasing expenses, increasing revenues, and neglecting the schools." The Virginia Bourbons, when it suited their political purposes, embraced racism. "There are two parties in this Commonwealth," said a Bourbon spokesman, "the white man's party and the Negro party." The Bourbons believed in "pure government," which generally meant a restricted electorate and government by the select and dependable few. They were largely uninterested in social causes. Many of them firmly believed in the relevance of the argument that "our fathers did not need free schools to make them what they were."

The Bourbon leaders built their organization and maintained their control of state politics in part, no doubt, because their philosophy struck a responsive chord in the hearts of most Virginians or, as Professor Moger suggests, in the hearts of most of those Virginians who voted. Nevertheless, Bourbon success was largely due to political opportunism. The conservative leaders were gentlemanly demagogues and calculating manipulators of the machinery of government. When really hard-pressed they generally adopted the programs of the opposition.

The conservative elements used the laws and constitution of the Commonwealth to maintain their stranglehold. The power to appoint key local officials was vested in local electoral boards, at first appointed by the General Assembly and later by the local judge who was appointed by the Assembly. Independent governors could be elected, but they did not have the right to change the local officials who owed their political lives to the machine. There was thus no way for an independent to build a political base. The rural "courthouse rings," held together by a "cronyism" of self-interest, kept the businessman's circle of Barbour, Martin, Flood, Swanson, and Byrd in the driver's seat.

This book might well have been entitled *The Triumph of the Bourbons*, for Professor Moger's thesis seems to be that Virginia, unlike other Southern states, has been run for most of the last

hundred years by men who shared the Bourbon economic and political philosophy. Harry Byrd, who won election as Virginia's governor in 1925, was a most successful businessman. He introduced business efficiency to state government, and he became the incarnation of fiscal integrity and economic conservatism. Harry Byrd was a Bourbon. "Pay-as-you-go" and "massive resistance" have a solid Bourbon ring.

Much work remains to be done before we fully unravel the complexities of a little-known but exciting era. Virginia's government has been singularly free from scandal, but Senator Thomas F. Martin, the shadowy figure who built the political machine which Senator Byrd inherited, seems to have owed his election to fraud. Professor Moger cites a monograph on a crucial point here where I would have preferred that he cite the original source. One would like to know more about this and more about the background of the change of loyalties of Senator Carter Glass. For many years Glass was an enemy of the organization, but after his appointment to the Senate by independent governor, Westmoreland Davis, he went over to the organization and turned his back on Davis.

Professor Moger had made a most valuable contribution, but he has not written the definitive account of the period 1870 to 1925. More spadework must yet be done.

Virginia Military Institute Museum

LYON TYLER

The Most Unsordid Act: Lend-Lease, 1939-1941. By Warren F. Kimball. (Baltimore: The Johns Hopkins Press, 1969. Pp. vii, 281. Appendix and bibliography. \$7.50.)

Winston Churchill may have labelled Lend-Lease a "most unsordid act," yet had he been more candid, he might have called it a "most un-neutral act." Had he been more accurate, he might have phrased it "the most useful act," for certainly it was that beyond all else. Warren F. Kimball carefully and painstakingly researched the development of the Lend-Lease Act in minute detail, from early 1939 to March 11, 1941, when Roosevelt scrawled his signature on the bill.

Even though Kimball's work has not changed the main outlines, one can find in Langer and Gleason or Sherwood, there is much detail that is new in this study. Kimball's research emphasizes that "the Lend-Lease Act was the culmination of months of thought and the heavy pressure of events" and did not simply occur to Roosevelt or his alter ego, Harry Hopkins, in a blinding and orig-

inal flash. Kimball proved that Lend-Lease was not a novel idea, as it appeared to so many at the time, but the result of discussion and investigation among officials at various levels in government over a period of more than two years.

And yet, almost paradoxically, Kimball states "there seems no doubt" that "the Lend-Lease concept was the President's own invention." The key word is "concept," for although Roosevelt took his cue from many sources, the broad outline of the kind of legislation he needed developed in his mind in December, 1940, perhaps while he and Hopkins vacationed on the *U.S.S. Tuscaloosa*.

Certainly Roosevelt emerges as the central figure in Kimball's story. And along with others who have probed into Roosevelt's administration, Kimball admits to a certain feeling of frustration with the disorganization that characterized it. Yet Kimball has done an outstanding job of penetrating the administrative maze, as well as imparting to his readers some of the confusion so encountered. Roosevelt surfaces in this study—as he has in others—as primarily a master politician concerned chiefly with the political scene. Roosevelt weighed questions of economics, details of administration and legislation largely in terms of political expediency. He turned to trusted associates, such as Henry Morgenthau or Hopkins, to shape his broad concepts into concrete forms. Kimball competently refutes Roosevelt's critics who charged that Lend-Lease represented a part of his dark plan to involve the United States in war.

Kimball captured the significance of the act in the book's last sentence. Lend-Lease was "a public announcement of the creation of the most productive and co-operative coalition of modern times—the Anglo-American alliance against Nazi Germany." In retrospect, it was a decidedly un-neutral act for a neutral nation.

Kimball's sources reflect a range of manuscript material from government archives, such as files from the State Department, the Department of the Army, the National Archives, and the Truman and Roosevelt libraries, as well as interviews from some of the participants involved. It is encouraging for scholars to observe that more doors were open to Kimball in recent years than were open to this reviewer when he completed a study of Lend-Lease to Russia in 1965 (also published this year). What is discouraging to scholars of the more recent period is the number of doors that still remain closed. Yet even when they open, I doubt if the additional material will change Kimball's study in any significant way. This book should remain the definitive study of the development of the Lend-Lease Act.

Sections and Politics: Selected Essays. By William B. Hesseltine. Edited by Richard N. Current. (Madison: State Historical Society of Wisconsin, 1968. Pp. xxx, 150. \$5.00.)

This memorial volume is dedicated to the late William Best Hesseltine, Professor of History at the University of Wisconsin for thirty-one years and author of such significant contributions to American history as *Civil War Prisons: A Study in War Psychology*; *Ulysses S. Grant, Politician*; and *Lincoln and the War Generals*. In an excellent introduction, editor Richard Current presents a short but appreciative sketch of Hesseltine's life, praises him as a researcher and seminar director, comments on his political views (Populist-Progressive-isolationist), and proclaims him a "maverick," who "at times disregarded and at times revised the supposed tenets of Civil War 'revisionism.'" As a revisionist during the 1940s, Hesseltine is remembered today for questioning the totality of Lincoln's egalitarianism, the necessity of the Civil War, and the virtue of the Radical Republicans. While the course of Civil War historiography has not substantiated all of these interpretations, there is still considerable debate in all three areas, and Hesseltine's ideas are relevant.

This reviewer has no criticism of the eight examples of Hesseltine's writing included here. According to the editor, they are not necessarily the Wisconsin scholar's "best" but rather indicate the range of his "subjects and treatments over most of his career." In addition to important articles dealing with Confederate prisons, Carpetbaggers, and sectionalism, three other essays are noteworthy. In "Look Away, Dixie" (1931), he objected to the Nashville Agrarians' *I'll Take My Stand* and argued that if the South hoped to preserve its distinctive characteristics, it would have to regulate industry and "endow corporations . . . with a social conscience." In "Economic Factors in the Abandonment of Reconstruction" (1935), he investigated the contradictory policies of Northern Republican businessmen and politicians and concluded that the latter group's demand for economic rather than political exploitation of the South dominated the Republican Party after the elections of 1874. In "Some New Aspects of the Proslavery Argument" (1936), he denied that the Southern defense of slavery was a response to Northern abolitionism and suggested instead that it was the product of Southern conditions, mainly the attempt of the planter class "to substitute the sense of racial superiority for the mounting class consciousness of the nonslaveholders."

The volume contains a complete bibliography of Hesseltine's books, most of his articles, including those in scholarly journals

along with those in such publications as *New Leader* and *Progressive*, and a limited listing of his book reviews. The names of his thirty-one doctoral candidates at Wisconsin are found in an appendix.

Sections and Politics is a fitting tribute to a respected American historian.

Seton Hall University

WILLIAM BARLOW

The Treaty of Portsmouth. By Eugene P. Trani. (Lexington: University of Kentucky Press, 1969. Pp. 194. \$6.95.)

In recent years, since the publication of Elting E. Morison's edition of Theodore Roosevelt's letters, an increasing number of historians have contributed significant works on Roosevelt's foreign policy. Although Howard K. Beale offered a general study in *Theodore Roosevelt and the Rise of America to World Power* (1956), the relations between Japan and the United States have attracted the greatest attention. The latest contribution in this field, Eugene P. Trani's *The Treaty of Portsmouth*, now joins the recent studies by Raymond A. Esthus on *Theodore Roosevelt and Japan* (1966) and by Charles E. Neu on *An Uncertain Friendship* (1967). One of the outstanding characteristics of these books is the use of foreign-language sources. In his research Trani examined not only the manuscript collections and government documents of the United States but also the available sources from Russia and Japan. The quality of Trani's research places his book in a different category from Tyler Dennett's *Roosevelt and the Russo-Japanese War* (1925), the only previous study focusing primarily on Roosevelt's role in the diplomacy of the war.

Despite the effective use of new sources, Trani—like Beale and Esthus—adheres to Dennett's interpretation of Roosevelt's policy. They agree that the President's primary objective during the Russo-Japanese War was the maintenance of the balance of power in East Asia. "The main reason behind his desire to mediate the war," writes Trani, "was the Far Eastern balance of power," (p. 37). Although not offering an original interpretation of American diplomacy in 1904-1905, Trani provides convincing evidence to support the traditional one. He makes a valuable contribution in his skillful handling—though occasionally writing in a rather informal style—of the details of the negotiations leading to the Portsmouth Treaty. By effectively exploiting the available sources, Trani offers a subtle analysis of the precise influence of Roosevelt in the negotiations that ended the Russo-Japanese War.

University of Nebraska

LLOYD E. AMBROSIOUS

Essays in the History of Early American Law. Edited with an introd. by David H. Flaherty. (Chapel Hill: University of North Carolina Press, published for the Institute of Early American History and Culture. 1969. Pp. xii, 534. \$12.50.)

Nine of the eighteen essays in this collection appeared originally in law journals; ten of them deal mainly with seventeenth-century American law. Such selection tells something about the practice of legal history: it is primarily the domain of members of the legal profession, who are chiefly concerned with what such study can tell about law today, whether it resembles earlier law or is significantly different from it.

The essays which take the broadest view of legal history deal with the two matters, land and its inheritance, in which the colonists broke sharply with English practices. In England the legal forms of land holding had a wide variety, but in America only fee simple holdings were really workable. Julius Goebel, Jr., in an essay about "King's Law and Local Custom in Seventeenth Century New England," attributes this tendency to the colonists' unwillingness to permit the insecurity of tenure which they had known in England, and he points out that the Americans were much more particular than the English about the recording of land transactions. George L. Haskins shows that since the seventeenth century the Americans practiced partible inheritance. He attributes "a notable lack of insistence on formalities" to a "great anxiety to avoid when possible having recourse to the intestacy law." (211) There is strong evidence of a desire to achieve social justice and charity for the deceased's dependents and "to avoid the more mechanical distribution by the intestacy law." (213) An essay by Charles McLean Andrews covers much of the same ground in treating the Connecticut intestacy law, which is employed as a device to show the social differences between the colonies and England.

The chief theme of the book and the topic about which legal historians of early America seem disposed to devote most of their wrangling is the relationship between English law and its American counterpart. Goebel argues that the colonists did not apply the King's law of the various London courts, but rather an amalgam of the customary law of the locales from which they emigrated. The courts that enforced this law depended on both quarter sessions and leet courts for their models. It was this process of integration and simplification of established institutions and laws, rather than the creation *de novo* of a characteristically American law, that accounts for the peculiarly American law of the colonial period. In studying the working of a Massachusetts county court, George E. Woodbine

found the forms to action, though English, to be greatly reduced in their variety, usually being simply Action on the Case.

Despite these variations and simplifications, the colonists believed that they were maintaining English law, especially the common law. In an essay on "Colonial Courts and the Common Law," Zechariah Chafee, Jr., pointed out that the common law "meant to its users something else than case-law; it described the system of principles and rules of action which obtained in England." (75) Goebel describes the colonists' tenacity for the common law: they had "an almost nostalgic desire for common law rather than manufactured colonial law." For them the common law was not a matter of actions, pleas and writs, but rather "a sanctuary which beckoned when there threatened some black evil from which they suffered, whether the Duke's Laws, a governor's ordinance, or a royal disallowance of a provincial act." (269) In the eighteenth century this desire for the common law was met by lawyers trained in England, in whose hands "the amorphous jurisprudence of the new courts presently took shape." Goebel points out the irony that in addition to liberty, the common law insured "a tangle of technicalities." (270)

The other essays in the collection treat a variety of subjects. Haskins, Richard B. Morris, and Thorp Wolford have essays about legal codification in New England. Milton M. Klein has an essay on the legal career of William Livingston, which strikes an odd note in the collection, in that it considers Livingston's legal practice in relation to his political and economic activities. Joseph H. Smith contributes a fine study of "Administrative Control of the Courts of the American Plantations," which was extensive and amounted to "judicial review." The editor provides a comprehensive bibliographic essay about the secondary materials for the study of early American legal history.

Taken individually, most of these essays are of considerable interest, but the cumulative effect of the collection is somewhat disappointing because it discourages rather than encourages an interest in legal history and its relationship with other fields of history. The purpose of the collection would seem to be at defiance with its materials. The editor believes that legal history is significant "because of its intrinsic interest and because of the light which it sheds upon broad themes in United States history." (v) Far from bearing out this notion, however, the essays reveal that legal history and history are two different conceptual matters. For most of the writers represented in this collection, legal history is the historical study of laws and their administration. It is not a study of law as one of a society's institutions, which, like other in-

stitutions, must be analyzed in terms of its relationships with the values, social conditions, and economic interests prevalent in the culture as a whole. Few of these historians seem to be interested in the causes of legal history—such as crime and litigation—in early American society. Nor do legal historians often deal with extra-legal methods of justice. Without such interests legal history is hermetic; it disregards the social, intellectual, and economic influences on the law, and it avoids an analysis of the function of law in a particular society.

John Carter Brown Library

J. E. CROWLEY

The People in Power: Courthouse and Statehouse in the Lower South, 1850-1860. By Ralph A. Wooster. (Knoxville: The University of Tennessee Press, 1969. Pp. xi, 189. \$6.25.)

Professor Wooster's scholarly research in recent years has been based upon quantitative analyses of certain historical groups, most notably the Texas Know Nothings and the delegates to the 1860-61 secession conventions. With this book he brings his talents and experience in quantitative research to a consideration of the public officials and the machinery of state and local government in the seven states of the lower South just prior to the Civil War.

By 1850 the Deep South had responded to the enthusiasms for democratic reform by liberalizing their governmental machinery. Most state and local officials were popularly elected, the privileges of officeholding were broadened, rotation in office was frequent, and suffrage requirements could easily be met. South Carolina was the exception to the general rule, and can be regarded as the "stronghold of the land of aristocracy." In the Palmetto state requirements for holding office and voting remained restrictive, and most public officials were appointed.

Power within these states was concentrated in the legislatures. Continuing the tradition of legislative supremacy, the South regarded governorships as "a sort of civic crown with which to honor exceptional public men." In South Carolina the legislature retained so much power that it appointed the governor as well as presidential electors, judges and other officeholders. An aspiring politician quickly learned that a successful career depended upon extended service within the state assemblies.

The author spent considerable time with the 1850 and 1860 census returns analyzing the characteristics of the state and local officeholders. Not surprisingly, he found that the "people in power" were middle-aged, southern born, slaveholding planters. Holders

of local offices were usually men of lesser means and typified the area or county in which they lived. Appendices, forty-two pages long, offer state-by-state tabulations of the characteristics of the state and local officials.

The description of state machinery raises some questions which, if answered, would have revealed significant features about southern political life. The author, for example, fails to explain why most state legislators only served one term in the assemblies. In Florida he found that many legislators even failed to complete a single elected term. Additionally, he does not suggest the reasons why the Louisiana state constitutions of 1845 and 1852 curtailed the governor's power, a move contrary to the trend within the South. The reader wonders, too, why local administrative posts were so infrequently held by lawyers.

Professor Wooster's study, nevertheless, will be a useful reference for political historians of the Deep South. It is unfortunate that he did not proceed with his original intentions of analyzing governmental machinery in the entire South. His book's usefulness would have been greatly expanded.

Indiana University of Pennsylvania

W. WAYNE SMITH

Timothy Pickering and American Diplomacy, 1795-1800. By Gerard H. Clarfield. (Columbia: University of Missouri Press, 1969. Pp. x, 233, \$6.00.)

Timothy Pickering has never ranked among the nation's more inimitable Secretaries of State, and for some he continues to exemplify as well as any one occupant many of those least attractive qualities that have influenced the course of events in an office noted for an uncertain tradition of incumbents. Vain, opinionated, emotional, moralistic, and unduly partisan in his politics, Pickering originally received his appointment in the waning days of the second Washington administration mainly because few others of sufficient stature and experience would have it. His incompatibility with the office was evident almost from the outset, so that even in combination, his attributes—administrative ability, diligence to detail, and conscientiousness—cannot entirely redeem his less than sterling performance. Small wonder that a systematic monograph of his tenure has waited until now.

Professor Clarfield's topically and tightly structured study is not designed to elevate Pickering's reputation appreciably. Actually, it largely confirms older impressions and conclusions with which students of both the subject and the period have long been com-

fortable. If Pickering is treated here with more condescension than sympathy, it is in the nature of condign retribution; his political obtuseness was real and persistent, his diplomatic tenets were moralistically inclined and sectionally oriented, and his intellectual independence at times bordered on arrogance. Clarfield has introduced few surprises while effectively pursuing many of the principal suggestions and implications advanced in Stephen Kurtz's analysis of the Adams administration as a whole.

Clarfield's purpose—and, overall, achievement—has been to build the sum of the Secretary's predilections and propensities into a coherent, defensible argument that Pickering, far from merely attempting to counsel and direct President Adams toward policies more friendly to his own views, actually interpreted it as part and parcel of his function to oppose and obstruct the President when and wherever basic disagreements arose. Pickering regarded himself as "not simply an administrative assistant, but an independent member of Government," beholden alike neither to his chief nor to public opinion. Under this peculiar sense of duty Pickering could and did withhold important information from both Washington and Adams, delay implementation of presidential directives and staunchly lobby against others, and insist upon and surreptitiously champion antagonistic positions. "When argument failed to move Adams," says Clarfield, "Pickering stooped to conspiracy," most notably when he urged the Senate to deny confirmation of Adams' son-in-law for a military command during the war-crisis atmosphere of mid-1798. "Harmony within the Administration was never anything more than a myth, and cooperation never an ideal of the Secretary of State." Indeed, Pickering so presupposed the inevitability of war with France and the necessity of an alliance with Great Britain that the logic of his premises ultimately obliged him to reject the essence of Washington's Farewell Address and thus also of Adams' settled policy of preserving American neutrality and negotiating the dispute with France. The marvel is not that Adams retained Pickering upon forming his Cabinet in 1797, but that he was not dismissed until early 1800.

It may be a little excessive to condemn Pickering for "calling for . . . a reversal of the principle of nonentanglement, a retreat from neutrality." Not only had nonentanglement yet to be proven a principle, but the first practical test of the policy was the quasi-war with France, and the entire administration experienced divisions over its merits. One suspects it is easier to fault Pickering in retrospect than it was to do so contemporaneously. If his precepts and proposals operated at all as a bumper to Adams' clarifying and perfecting them in the process, and thereby contributing, however

inadvertently, to the enshrinement of nonentanglement as a principle, Clarfield is inclined to steer clear of the question.

Yet he has presented his material cogently, with comprehensive and thorough documentation. The index is adequate and the editorial craftsmanship of high quality. Proud Marylanders will nevertheless be disconcerted by the repeated misspelling of the name of Secretary of the Navy Benjamin "Stoddart."

The National Archives

JAMES F. VIVIAN

The Textile Industry in Antebellum South Carolina. By Ernest McPherson Lander, Jr. (Baton Rouge, La.: Louisiana State University Press, 1969. Pp. 122. Index. \$5.00.)

A history of the antebellum textile industry in South Carolina should throw light not only on the industrial development of the state but also on the total culture of the state. This excellent little book does both admirably, first by relating the efforts to build factories and secondly by analyzing the obstacles on the road to success.

Where Broadus Mitchell in 1928 in his *William Gregg, Factory Master of the Old South* told the full story of one textile magnate, Ernest M. Lander, Jr. in 1969 presented the stories of all of those entrepreneurs who tried to set up mills in antebellum South Carolina. This book, which gives the total picture in the lower, middle, and Piedmont sections of the state, is based on manuscript census returns, deeds and wills, early South Carolina newspapers, and numerous corporate and personal manuscript collections.

Could the state have transformed itself from an agricultural to an industrial society by itself? It had several advantages—cheap labor, cheap power, and proximity to raw materials—but only cheap white labor provided a lasting superiority over northern competition. Nullification did not stifle the factory movement, for the greatest growth occurred in the 1830's. (R. F. W. Allston was not a Unionist in 1832 as stated on page 32.) The failures were due to "faulty planning or poor management." Fires also did not help. Local capital was available, but capitalists were reluctant to invest in the 1850's due to declining returns on investments in the textile industry. But this must mean that agriculture was more profitable. The wages of white factory workers in the state remained constant for the thirty years before the war; the price of slaves gradually increased during the same period. By the 1850's slaves had disappeared from the textile mills. The book, therefore, implies that planting was more profitable in the 1850's. The planter was domi-

nant and only war could unseat him. A permanent base for industry was laid, but the true fruits came in the 1880's and after.

University of South Carolina

GEORGE C. ROGERS, JR.

John Breckinridge, Jeffersonian Republican. By Lowell H. Harrison. (Louisville: Filson Club, 1969. Pp. x, 243. Illustrations, notes, bibliography and index. \$8.50.)

In the first major study of Kentuckian John Breckinridge, Lowell H. Harrison has traced his public career from his early years as surveyor in Montgomery County, Virginia through his service as United States Attorney General, the office held at the time of his death in 1806. One of many able Virginia aristocrats and lawyers, Breckinridge had studied at the feet of George Wythe at William and Mary, and served terms in the House of Delegates before migrating to Kentucky in 1793. Friend of James Madison in Virginia, Breckinridge became a leader of Kentucky's Republicans and was chosen to present Jefferson's Kentucky Resolutions to the legislature. After distinguished service in that body, he was elected United States Senator in 1800. There he managed legislation for the Jefferson administration, guiding repeal of the Judiciary Act and legislation needed to implement the purchase of Louisiana. Spokesman for the West, his preeminence in national politics was such that he was suggested as Jefferson's running mate in 1804 and was chosen Attorney General. His distinguished service ended with his untimely death in 1806, and subsequent generations have tended to overlook his importance.

Harrison's study deserves consideration both for the importance of his subject in national as well as local politics, and for the meticulous care with which the author has researched Breckinridge's life. His bibliographical essay is exhaustive not only for Breckinridge but for early Kentucky. Unfortunately, in all the detail of his life, Breckinridge's personality remains rather flat, and undue emphasis is placed on what he did and not why he acted as he did. This may be the fault of the sources, but one feels that Harrison has been unduly cautious in drawing conclusions and venturing his opinion of Breckinridge's aims and impact on national politics.

Catonsville Community College

BAYLY ELLEN MARKS

NOTES AND QUERIES

Information needed: Brice W. W. Burgess lived on his farm about three miles northwest of Libertytown, Frederick County and was buried in a family burial ground on his farm, near the Pine Tree Road. This lot was fenced with a wrought iron fence, dilapidated in 1968. Only one memorial stone is present, apparently erected long after death by some unknown descendant. On it are the following names, with no dates: B. W. W. Burgess, Nancy Burgess (daughter ?), and Rebecca Burgess.

Elder citizens in the vicinity agree that he was tall, spare, distinguished in appearance, and wore a mustache and goatee. He is said to have taught school in a private academy in Libertytown. Local rumor has it that he met his death by poison, administered by a relative. A spinster lady, a relative, named Warfield, is said to have boarded in his house. I have in my possession a child's cradle, which came from his house. It was apparently built by a local cabinet maker with local black walnut. On the head end-panel there is a hand carved frame, or box, with the following inscription:

A. B. 1 7 6 9
DECEMBER 08

The lower date was made with a sharp pointed instrument that dotted it in. A. B. might stand for Achsah Burgess, daughter of Sarah Dorsey who married John Burgess; Sarah being a daughter of Captain Basil Dorsey 1704-1763 and Sarah (Worthington) Dorsey, his wife, — 1774. (See *Anne Arundel Gentry*, pp. 112 and 113, H. W. Newman). There is no reason to believe that Brice W. W. Burgess was not a descendant of Colonel William Burgess of Anne Arundel, and his full name could have been: Brice Worthington Warfield Burgess.

Any information about his ancestry will be gratefully received.

H. Hanford Hopkins, M.D.
7515 Club Road
Ruxton, Md., 21204.

Information needed: For a master's thesis on the Baltimore painter, Hugh Bolton Jones (1848-1927), I would be interested in information on his life, works, letters, or documents concerning him. Any assistance will be appreciated.

Please contact Miss Joan Hanson
4244 Darleigh Road
Baltimore, Maryland, 21206.

Information wanted on Capt. Thomas Lewis (from Prince George's County, Md.) who married Judith Ferguson in Fairfax Co., Va.

Please contact: Mrs. Albert Vidal
1026 S.W. 2nd Ave.
Gainesville, Fla., 32601.

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